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Canada Royal Commission on
pilots

Hearings 1963

Nos 80-83



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A
ROYAL COMMISSION

ON

38
PILOTAGE

HEARINGS

HELD AT

MONTREAL, QUE.

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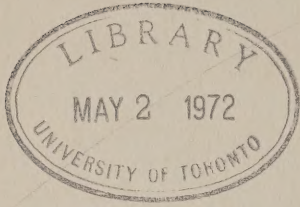
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THE ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Old Courthouse
Building, Montreal, Quebec,
on Tuesday, the 19th day of
November, 1963.

C O M M I S S I O N :

The Honourable Mr. Justice Bernier	Chairman
Mr. Robert K. Smith	Member
Mr. Harold A. Renwick	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. J. Richards	for the Canadian Merchant Service Guild
Mr. J. Brisset, Q.C.	for the Shipping Feder- ation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid- St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corp- oration of the St. Lawr- ence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots.



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1 ---ON COMMENCING AT 10:00 A.M.

2 ENGLISH

3 HORACE ARCAND, sworn

4 DIRECT EXAMINATION BY MR. LALONDE: (continued)

5 Q. Captain Arcand, you had started des-
6 cribing the trip downbown on the river from Montreal for
7 a ship. You had reached a point called Ile Aux Vaches
8 approximately and you had indicated in red on the
9 map, the charts, the approximate trend of the currents
10 and in green the approximate site of the anchorage on
11 charts 450. Would you mind proceeding downbound with
12 your ship from the place which you called yesterday
13 Tape du Courant and which is situated approximately
14 where on the chart, near what buoy?

15 A. Above Buoy 151M where the currents
16 are ebbing, just below 2150M, below the red buoy -- your
17 current just becomes fair with the channel and then to
18 drift you to the south side again just opposite Tape
19 du courant. Just leading to the light of Ile Aux Vaches,
20 the small lighthouse of Ile Aux Vaches, and the current
21 always keeps shifting on the south side away along this
22 course which is a natural channel and the current is
23 always steering you to the south till you get the
24 ranges at Ile A L'Aigle, and half way down this course
25 here the currents shift you on the north side down there.

26 Q. You say that the current pushes you
27 on the north side. At which point in particular, would
28 you indicate in red on the map?

29 A. Well, I said that the current was
30 setting on the south side all the way along the places



1 ENGLISH

2 here till you enter the ranges of Ile A L'Aigle.

3 Q. Which is on the following chart, 449?

4 A. And then sitting with the current or
5 shifting to the north side, right half way across.

6 Q. At which buoy?

7 A. This is 133M.

8 Q. 133M, and does the current keep push-
9 ing you on the north side?

10 A. Yes, all around this bend. It is then
11 shifting on the north side all around the bend. This
12 is what we call Pouillier Varennes.

13 Q. Once you have reached across this
14 point does the current keep on the north side or does
15 it go on the south side?

16 A. It goes south side at the lower part
17 of the course.

18 Q. As indicated in red on Chart 449?

19 A. On the chart, yes, and it keeps shift-
20 ing to the north side all the way along the course
21 and in that little bit of the bend, about Cap St. Michel
22 to become straight for a little while, just about into
23 Cap St. Michel, and to go north again to come back to
24 the south depending on the angle of the ship when you
25 are turning around the bend. This course here, 38,
26 coming to the islands here, the two islands.

27 Q. What are the names of the islands?

28 A. Belle Garde Island and Hertel Island.

29 Q. What happens there, at these islands?

30 A. These islands, well, the current takes



1 ENGLISH

2 you to the south side again. On the south side down
3 along the course till you come close to Pouillier Des
4 Trois Bouees -- that is what we call it because there
5 are three buoys.

6 Q. Are the buoys ---

7 A. Right there (indicating).

8 Q. Will you point out the numbers of these
9 buoys?

10 A. That is 104N, 102N and 99M. That is
11 what we call Pouillier Des Trois Bouees.

12 Q. What happens in that particular place?

13 A. Well, setting with the current or shift-
14 ing south up to Pouillier Des Trois Bouees, from there
15 the current on the north side changing coming close to
16 Pouillier Des Trois Bouees.

17 Q. As indicated in red on the charts?

18 A. On the charts, yes. Following down
19 the river coming close to Pointe Vercheres, now we
20 have a little set on the south side again to become
21 north as you come to Vercheres Pointe, to come around
22 the Pointe.

23 Q. Vercheres Pointe.

24 A. Vercheres -- that is the one, and
25 turning around, I said: the current was setting north
26 to become fair and then to shift on the south side
27 again coming close to the curve.

28 Q. Close to which buoy?

29 A. 82M and it keeps shifting to the south
30 side up to Pouillier L'île Au Boeuf.



1 Q. Pouillier L'Île Au Boeuf, which is
2 near which buoy?

3 A. 79M.

4 Q. Near buoy 79M. Does it change?

5 A. Same as Pouillier L'Île Au Boeuf --
6 the current would set a ship on the north side in
7 Pouillier L'Île Au Boeuf.

8 Q. Does the current keep pushing you on
9 the north side for a while?

10 A. For a while till you get down to
11 this point here.

12 Q. Which is what point?

13 A. We call it Dansereau Pointe. There is
14 nothing on the charts, but that is the Pointe there.
15 (indicating) That is the Pointe here.

16 Q. It is the place on the map upward from
17 buoy No. 77N, is that it?

18 A. Yes. Here we have a great deal less,
19 it is towers, you see. It is up to the tower, keeps
20 shifting to the north, setting to the north up there,
21 from there to below that it sets on the north side
22 again.

23 Q. Below the radio mast indicated on the
24 chart?

25 A. Yes.

26 Q. Does the current keep pushing you
27 on the south side for a while, and if so until what
28 place?

29 A. It does keep on the south side way
30 down on the course till the next course, when you change to



1 ENGLISH

2 the north shore, and it is still, then drifting on the
3 south side to become fair and on the north side on the
4 next bend.

5 Q. Which is at which buoy?

6 A. 152M.

7 Q. It keeps on the south side to 152M
8 and then what does it do from 152M?

9 A. Becomes fair and it becomes fair until
10 you get to the next point or slightly on the north side
11 again, according to the length of the ship as you go
12 around the bend.

13 Q. Now, proceed to chart, Exhibit 448,
14 chart 1338, would you proceed down from the point you
15 have reached on the previous charts?

16 A. Oh yes, I see. Well, following down
17 river I get into what we call Contre-Coeur Course where
18 the current is fair approaching on the south south
19 side in the lower part of the course, and setting again
20 on the north side coming around the bend for the next
21 course to half way through this course to become fair
22 again.

23 Q. Would you indicate the point where it
24 becomes fair again? Is that the mark indicated in
25 green on the map below this?

26 A. Coming close to Bellemouth Curve.

27 Q. What happens at Bellemouth Curve?

2 28 A. What happens, your tide changes again,
29 your current changes again and sets you on the south
30 side to around the vent to become a light set on the



1 ENGLISH

2 north side just below the bend, becomes fair to the high
3 lighthouse, Contre-Coeur Lighthouse, this lighthouse here.

4 Q. Would you underline it in green,
5 lighthouse indicated as FG 106B(MU)?

6 A. And then from that point it sets
7 again on the south side. As you go around the bend at
8 Lanoraie it becomes fair with the river, no particular
9 current.

10 Q. For how long does it, how far does it
11 keep fair?

12 A. How far?

13 Q. Yes?

14 A. Well, I would say down to this point, to
15 this buoy here.

16 Q. Which is which buoy?

17 A. Which is buoy -- first one in the
18 District, 1M.

19 Q. To buoy 1M?

20 A. Yes.

21 Q. Is there a change in the current?

22 A. There is because there is a change
23 in the course here coming around Sorel Point. Your angle
24 of the ship going around sets your ship on the north
25 side, as you go across the river, you see.

26 Q. Yes. Is the current pushing you on
27 the north side of the curve here?

28 A. That is right.

29 Q. Will you indicate it in red on the
30 chart?



1 ENGLISH

2 A. Here it becomes fair at Sorel Point,
3 at the light buoy, practically no current. It is quite
4 fair, but sets you again on the north side of Nipigon
5 Shoal. It sets you on the north side down to buoy 141N
6 to become fair down to buoy 139L, and from there to set
7 on the south side down to 129M to become fair to Ile
8 Aux Corbeaux, Chenail Aux Corbeaux. This channel here,
9 to set you again on the north side.

10 Q. Is there a buoy there?

11 A. There is 126L.

12 Q. From 126L the current is pushing you
13 on the north side, is that it?

14 A. It becomes fair at Chenail Aux Cor-
15 beaux.

16 Q. Yes.

17 A. From there down it sets you on
18 the north side way down to this point here which is
19 buoy 120L. From there it sets you on the south side
20 all around this course, here to about here. (indicating)

21 Q. Which is which buoy -- buoy 107L, is
22 that it?

23 A. Yes, that is it.

24 Q. Now, we proceed on the following chart,
25 Exhibit 447, chart No. 1337. We reach Lake Peter,
26 is that it?

27 A. That is it.

28 Q. Would you proceed with your ship from
29 the point you had reached on the previous chart?

30 A. Well, I said that the current was
setting south all around the course, see until I get



1 ENGLISH

2 to here at 109L, then the current becomes fairer down
3 to 102L, to set on the north side down to 97L and, to set
4 lightly, small current on the south side way down on
5 the course to 85L, and then it becomes fair according
6 to the angle of the ship as you come around what we
7 call current No. 2 on Lake St. Peter, to set you down
8 lightly on the north side all along the course down to
9 buoy 62L, to set you again on the south side at
10 Yamachiche - - I am not sure how to pronounce it, to
11 set lightly on the south side, very little, and I would say
12 down to about buoy 47L to become fair down to buoy 31L
13 which it sets a bit stronger on the south side way down
14 the course to buoy 21L where the current changes and
15 sets you strongly on the north side in what we call
16 Nicolet Traverse. As we go right across the river, I
17 think it is easy to understand the ship is setting on
18 the north side, to set you again on the south side from
19 buoy 10L, lightly on the south side of Pouillier
20 Laforce. Then the current becomes fair again.

21 Q. Will you proceed to chart No. 1336,
22 Exhibit 446. For how far does the current keep fair?

23 A. Fair down to buoy 2L where it sets on
24 the south side again.'

25 Q. Is it stronger on the south side?

26 A. A bit stronger here than down below.
27 Then it becomes fair again in line with the river, this
28 current, and it is according to the angle of your ship,
29 and that is where the point is on here, and maybe to
30 Three.Rivers, buoy 61C setting you on the south side



1 Q. You indicated it with red pencil on the
2 charts. I understand that we have reached approximately
3 the end of the section of the District in which you
4 operate; is that the case?

5 A. That is right.

6 Q. Would you indicate on the chart in
7 green the area where you change pilots?

8 A. That is the wharf here, the large
9 circle.

10 Q. Yes?

11 A. This is the place where we change.
12 There is a wharf and then a basin, just above the basin.

13 Q. "This" is what?

14 A. This wharf here.

15 Q. Indicated as Pointe Des Ormes Pilot
16 Station on the map. Does the change of pilots take
17 place across that point or further up or further down?

18 A. Mostly it is within that point. It
19 might be further up or a bit further down but most
20 of the time it is within the point.

21 Q. Would you mind indicating on the charts
22 the various anchorages which are available for ships
23 from Montreal down?

24 A. From Montreal down, well there is not
25 too many anchorages. There is Lanoraie down below
26 Montreal.

27 Q. Which is indicated on Chart No. 1338,
28 Exhibit 448, is it?

29 A. Yes, that is it.

30 Q. Is that the area you have indicated



1 ENGLISH

2 in green on that particular chart?

3 A. That is right, that is the green mark
4 on the chart.

5 Q. I notice that the anchorage that you
6 have indicated covers a pretty wide area. Would you
7 indicate approximately from which point to which point
8 it is on the chart?

9 A. Well, which point -- it is below the
10 wharf at Bois D'Autray, about here, where it is indicated
11 in green.

12 Q. In green, yes.

13 A. We go down as far as Bois D'Autray.
14 We don't go as far as Ile au Forns -- we stop because
15 you have the bank here on the north side and so a
16 wide ship you just take it as far down as this buoy
17 here because there were 43 ships the same time from
18 Lanoraie to Bois D'Autray.

19 Q. The buoy you just referred to is buoy 1M?

20 A. That is it.

21 MR. JACQUES: You mean you anchor between
22 Lanoraie and Montreal and Sorel Harbour Limits indicated
23 on Exhibit 448, is that it?

24 A. That is it, and it is above Bois
25 D'Autray. That is the anchorage, the way we call it.

26 Q. If I understood you well you stated
27 on various occasions you might extend the area further down?

28 A. Further down?

29 Q. If necessary?

30



1 ENGLISH

2 A. If necessary we do anchor at Sorel
3 when ship goes at Sorel. Outside of Sorel -- if the
4 ships go at Sorel, up or down. That we do very often.
5 Now from Montreal when we go to anchor at Lanoraie,
6 well we anchor here (indicating).

7 Q. That is from Lanoraie approximately
8 to the south harbour limits?

9 A. Yes.

10 Q. I think you have indicated another
11 anchorage before in the harbour at Longue Pointe. Is
12 that the case?

13 A. At Longue Pointe, yes. We do anchor
14 at Longue Pointe. It's now No. 1 to No. 7.

15 Q. Indicating in green on chart 450
16 from Longue Pointe Anchorage. You then have to go down
17 to Longue Pointe Anchorage?

18 A. That is right.

19 Q. That you say is 32 miles?

20 A. From Montreal, that is right.

21 Q. Which is the next anchorage on your
22 way down?

23 A. The next anchorage on my way down
24 is Ile Aux Raisins Anchorage.

25 Q. Indicating on Exhibit 447, Chart No.
26 1337. Would you indicate this area in green which you
27 call anchorage Ile Aux Raisins. Is this a large
28 anchorage?

29 A. You have 1400 feet wide and it's
30 2500 feet is the length. That is the anchorage.



1 ENGLISH

2 Q. How many miles is it down from
3 Lanoraie anchorage?

4 A. We have seven -- it's about seven miles
5 from Lanoraie. It's below Sorel Island.

6 Q. Below this anchorage Ile Aux Raisins,
7 which is the next one?

8 A. The next one is Yamachiche.

9 Q. Yamachiche Anchorage?

10 A. That is right.

11 Q. Indicating in green also on Chart
12 447?

13 A. That is right.

14 Q. This one seems pretty close to the
15 Ile Aux Raisins Anchorage. How far is it?

16 A. Just a few miles. Four miles, three --
17 I should say about eight miles from Ile Aux Raisins.to
18 there.

19 Q. To Yamachiche Anchorage?

20 A. Yes.

21 Q. Is this the last anchorage above
22 Three Rivers?

23 A. That is right.

24 Q. You have one at Three Rivers then?

25 A. That is right.

26 Q. Does it correspond to the point you
27 have indicated in green on Chart Exhibit 446?

28 A. That is right, at Three Rivers. We
29 have cables there. At the south side we anchor ships
30 here (indicating). Two or three ships coming down



1 ENGLISH

2 anchor here. The ship leaving Three Rivers to come up
3 and swing around to get down the river.

4 Q. Would you indicate in green across the
5 river the beginning and the end of this anchorage across
6 Pointe Des Ormes?

7 A. You have to clear the ~~pouliers~~ and you
8 can get as far as this here (indicating), the anchorage/
9 on the west side.

10 Q. As far as the flashing red light,
11 is that it?

12 A. Yes, that is it.

13 Q. Indicated as Exhibit 2LR and indicated
14 in green on the chart?

15 A. Yes, that is the west part, and this
16 is the east part (indicating).

17 Q. You said you anchor your ships on
18 the south side?

19 A. On the south side to clear the traffic
20 that comes up and down on the north side.

21 Q. You have just mentioned above Three
22 Rivers the fact that we have cables crossing the river?

23 A. Yes.

24 Q. Do you have several obstructions of
25 that particular type in your section of the river from
26 Montreal down? Would you point out to the Commission
27 which are the main obstructions which you encounter
28 or which you have to look for?

29 A. At Sorel we have cables here at
30 Sorel that start from the south side just below the



1 ENGLISH

2 power line.

3 Q. On Chart Exhibit 448.

4 A. That goes north just by that pier
5 on the St. Ignace Island where the ferry boat goes from
6 Berthier to Sorel. From Sorel to Sorel. We have seven
7 or eight cables here and you see the power line, that
8 is above,

9 Q. You stated that you would anchor
10 across Sorel and do I understand that you could anchor
11 even in this cable area?

12 A. No, because we never go any further up
13 than this ten foot spot here (indicating).

14 Q. Would you indicate across the river
15 in green please the furthest part you go up when you
16 anchor across Sorel?

17 A. This is the furthest point on the
18 north side. That is for loaded ships and we do anchor
19 below the wharf here on the south side.

20 Q. The wharf indicated in Sorel Harbour
21 itself?

22 A. Yes.

23 Q. Does the wharf have a name?

24 A. They changed the name. It's a different
25 name. I don't know exactly how they call it.

26 Q. You are indicating it in green on
27 the chart the particular area where you can anchor
28 on the south side.

29 A. We used to have a power cable below
30 Lanoraie. They took it off just during the War or after



1 ENGLISH

2 the War and now I am told we are going to have some other
3 cables because these little barges, the five D.O.T.
4 barges have been in the river working at it just now
5 and I am told that they were going to have another cable,
6 submarine cable below Lanoraie.

7 Q. You have indicated yesterday they
8 work that is actually taking place under Longue Pointe
9 Tunnel? A. Yes.

10 Q. Are there some further obstructions ?

11 A. You have the cable to this pipe line,
12 the oil tanks. You have two of them.

13 Q. Would you indicate to the Commission
14 on the chart? We will find these pipe lines. This is
15 below what?

16 A. You have the cable at the Imperial
17 Oil Dock and another one at the B.A. Dock, where you
18 can't let go your anchor on account of those pipe lines.

19 Q. Those pipe lines that you have indicated
20 in green crossing the channel on Chart 1352, Exhibit
21 450, are these the only two pipe lines in your section
22 of the District?

23 A. Yes, that I know of, yes.

24 Q. Are there other submarine cables which
25 you have to look for in your section? Does this cover
26 the point?

27 A. No, not that I know of. We had one
28 this summer at Ste Helene's Island.

29 Q. You have mentioned that you have
30 seen D.O.T. barges?



1 ENGLISH

2 A. Yes, small crafts, five of them. I
3 was looking at them yesterday coming up in the bus
4 here. We had a notice a couple of days ago that they
5 would start to work, you see.

6 Q. At Lanoraie?

7 A. I am told it's for a cable.

8 Q. Do you have further barges or dredges
9 working near Pointe Des Ormes for the proposed bridge?

10 A. Yes. Well we had some in the summer.
11 Some scows and barges, and one thing and another.

12 Q. Would you mind indicating on chart
13 Exhibit 446 the area where you have those barges and
14 other craft working for the proposed bridge?

15 A. They work about here (indicating).
16 You see this here where they were all summer.

17 Q. The area is indicated in blue on
18 Chart 446. And this area also indicates the area where
19 the proposed bridge is to be constructed. Is that
20 it?

21 A. Yes, that is right.

22 Q. Are these small craft or barges creat-
23 ing some difficulties for pilotage in your section?

24 A. Well I don't know if we should call it
25 difficulties. It's a thing that we have to take care
26 of, of course, but we always have the notice about it,
27 so we are careful; like now 5 below Lanoraie, on the
28 notice, you see, we are supposed to go below the third
29 and fourth one, three on the north side, two more on
30 the south side. That gives 800 feet between the third



1 ENGLISH

2 and the fourth. There is five altogether.

3 THE CHAIRMAN: That is on the proposed
4 construction of the bridge, of the future bridge?

5 THE WITNESS: I don't know that. At
6 Three Rivers they told me they are talking about putting
7 another cable, a new cable there. It is one of the
8 clerks that was telling me.

9 MR. LALONDE: The witness is referring
10 to work taking place at the present time at Lanoraie.

11 THE CHAIRMAN: At Lanoraie, I see.

12 THE WITNESS: This is Lanoraie, those
13 barges. Actually that is where they are.

14 Q. Would you tell the Commission how
15 wide is the channel in your section of the river?

16 A. Well we have 550 feet wide and then
17 when you get at Lanoraie we have a wider space at Lanoraie.
18 We go up to 2,000 feet, 1,500 feet, you see. That is
19 the widest; besides that we have 550 and you get 600,
20 800 feet. That is the average.

21 Q. How is the bottom of the river in your
22 section? Is it mainly rock or is it mainly other material?

23 A. Well up above Three Rivers it is mainly
24 sand, like at St. Peter and you have clay in Contre-
25 Coeur. This is clay and we have some boulders at
26 Varennes. It's mostly a soft bottom in the channel.

27 Q. You have indicated to the Commission
28 a pretty large number of different trends of the current
29 in your section. Did you ever calculate the number
30 of times you have changed course in your section when



1 ENGLISH'

2 you are taking a ship down, for instance to --

3 A. There is no number. We always are
4 changing. We are always changing to allow for the
5 current. Going down Cap St. Michel, my course is 38.
6 When you get to the Hertel Island, well the tides sets
7 you on the south side so you have to steer about 36,
8 37 or 35 to allow for the current setting you south.
9 Then when you come to below Pouillier Des Trois Bouees,
10 as I said before, it's setting north, for you have
11 got to steer 40, 41, maybe 42, depends on the speed
12 of the ship. So mainly speaking maybe I will never
13 see around 38, to allow for the current.

14 Q. Do you also have to alter your course
15 if you are encountering a ship?

16 A. Yes, I have to, otherwise it would be
17 a collision. I have to alter my course, you see. I
18 have to prevent going into the bank. This is another
19 thing. It is all right to say I will go at 40, but
20 is my ship going to stay at 40? She won't stay at 40
21 if I go to the bank; we had to still fall back on the
22 other ship coming up. If she is as big or bigger than
23 I am, I have something to do. I just check down to
24 keep on the course, you see, to keep on my right-hand
25 side.

26 Q. Do you encounter several ships on
27 the trip up or down you are making? How many ships
28 would you encounter on a trip?

29 A. I don't know. It depends on the
30 traffic. Sometimes I may meet about 30 ships from Montreal



1 ENGLISH

2 to Three Rivers. Maybe meet six together, one after
3 the other, or one at a time. It depends on the traffic.
4 I may meet five, ten, twenty-five sometimes. The
5 other day when I went down on that curve I met ten ships
6 from curve No. 1 to just below curve No. 2. That was
7 one after another. I never stopped.

8 Q. Curve No. 1 and curve No. 2 is in
9 what area?

10 A. This is at Lake St. Peter, altogether
11 in that spot, they anchored in snow at Three Rivers.
12 That was on Friday night, I think, a heavy snow we
13 had here so they go up and all came up one after the
14 other, ten ships in about ten minutes times.

15 Q. If you were taking a large ship down
16 from Montreal, suppose you have passed Longue Pointe
17 Anchorage and you develop some trouble in your engines
18 or you would need to anchor. What can you do from
19 Longue Pointe down to the anchorage at Lanoraie?

20 A. I can do nothing. The only thing I
21 can do is to ask to keep a few revs. in my engine so
22 I can steer my ship to Lanoraie.

23 Q. You mean to say you could not anchor
24 in the channel?

25 A. It would be a big ship? Yes, that is
26 what I would do. I did it before; asked to give me
27 a few revs, just enough to steer my ship dead slow to
28 get down to Lanoraie because I won't be able to anchor
29 a big ship in 550 feet wide channel, a ship of 32, 34
30 foot draught. I can do it with an engine without going



1 ashore, so in a case like this I always talk to the
2 skipper. He phones down below and we get a few revs,
3 very slow. I steer the ship down to Lanoraie. It's the
4 only way to do it. Otherwise, I must go astern. Always
5 have some headway with my current going down when my
6 ship will go across. What will I do if she run ashore?

7 Q. From Lanoraie down I understand the
8 anchorages are relatively closer than further up. Is
9 that the case? That you have the next anchorage from
10 Lanoraie, the next anchorage is at Sorel?

11 A. Below the island.

12 Q. This one is closer. It isn't as dis-
13 tant as Lanoraie was from Montreal?

14 A. No. Short distance.

15 Q. There again you can anchor between
16 Lanoraie and Ile Aux Raisins if you have had difficulty
17 with your ship?

18 A. To deal with the new channel in
19 Sorel Island I could go, yes, on the north side and
20 anchor there, yes. A little room there at Stone Island.

21 Q. From Ile Aux Raisins to Yamachiche
22 Anchorage could you anchor in the channel?

23 A. No. Well I do anchor coming up,
24 having the current on my stern. If I am caught in fog,
25 having no compass, I have to stop and anchor at Lake
26 St. Peter. Otherwise going down it's all different.
27 You get swinging a ship around -- when you have a big
28 ship you have no room to swing around. What do you do?
29 Got to get somewhere. Get the Mate on the port side,
30 get somebody on starboard side to watch for your buoys



1 when you pass by and steer dead slow, watch your course
2 and do the best you can to get to the anchorage.

3 Q. Comparatively it would be easier anch-
4 orage on your way up?

5 A. Yes. The current is going down.

6 THE CHAIRMAN: Do you have ships with
7 stern anchors?

8 THE WITNESS: To-day, yes but we don't
9 believe too much in stern anchors.

10 THE CHAIRMAN: You don't? Why?

11 THE WITNESS: Because it's always a
12 lighter anchor and most of the time, nine ships out of
13 ten with your stern anchor you have a drag and the
14 last experience I had was last spring in March with the
15 little MAPLE BRANCH. She has a stern anchor
16 and we are in the dense fog in the morning just by the
17 radio station at Contre-Coeur. We stayed there for
18 about, I would say for about twenty minutes, half an
19 hour, and when it clears up we were away down below
20 the quay. We were coming to the bank on the south side
21 and dragging, you see, with your stern anchor.

22 THE CHAIRMAN: It isn't very good
23 when there is current?

24 THE WITNESS: I am not keen about
25 stern anchors. I never met anybody that likes to anchor
26 with the stern anchor. If your stern anchor is away
27 aft just by the stern, it is not so bad, but most of the
28 time you always have your stern anchor on your fore
29 part, port or starboard, so when you drop your anchor,
30 your ship always is coming to an angle that is favouring



1 ENGLISH

2 the current, drop you down one way or another, so I am
3 not very keen about the stern anchor. I don't rely upon
4 it.

5 THE CHAIRMAN: I am very glad to hear
6 about that. That is another bit of information we have.

7 THE WITNESS: That is my experience
8 about the stern anchor. Maybe when I was an apprentice,
9 where you have a watch with one of the pilots, and we
10 drag that way and the current goes that way, we were
11 caught in the position and it was dragging us.

12 Q. Is it at Cap St. Michel that you have
13 oil tankers discharging or is it further up?

14 A. Cap St Michel, just above Cap St
15 Michel in that little bay on the south side, Mr. Irving's
16 place there where we have buoys to make the ships
17 fast.

18 Q. We heard about Mr. Irving somewhere
19 else, in Quebec City. Would you indicate on your chart
20 where you would find this particular area, Cap St.
21 Michel?

22 A. Right here (indicating).

23 Q. Would you indicate in blue on Chart,
24 Exhibit 449 the area of Cap St Michel where you have oil
25 tankers discharging?

26 A. It's marked down here, just above the
27 point where they have floating buoys to make the ship
28 fast and they have a scow where the pipeline comes from
29 the shore and is tied up to the scow and when the ship
30 comes along, they make the ship fast on the buoy and get



1 ENGLISH

2 the house aboard that takes the oil to the tanks ashore.

3 Q. Does this particular area create
4 particular difficulties or trouble for you in your per-
5 formance of your duties?

6 A. Yes. We have to slow down while passing
7 the buoy because it is right close to the channel and
8 the ship is made fast to the floating buoys. We have
9 to be very careful.

10 Q. How large is the channel at that
11 particular point?

12 A. It's not any larger than anywhere else.
13 We have 500 to 700 feet in the channel and very close to
14 the channel. We go by very close. That is why we
15 have to slow down so much to go by.

16 Q. Do you have the current at that
17 particular spot?

18 A. Set, yes, the current sets at that
19 coming down, according to the angle of the ship and go
20 around the bend and it sets there so we have to be
21 careful with the ship there. When I see a ship coming
22 up, I am going down, I check down before so I won't
23 meet any ship passing down the oil place.

24 Q. In your experience of the last few
25 years, and let us say particularly this year, do you take
26 your ship down from Montreal mainly during the day or
27 during the night?

28 A. To-day there is more night work than
29 day work. To-day.

30 Q. What do you mean "to-day"?



1 ENGLISH

2 A. To-day we are called for to take the
3 ship out of Montreal at any time of the night, 32, 33,
4 34 foot draughts.

5 Q. Is this a pretty recent development?

6 A. Yes, after the War it started.

7 Q. Have you noticed an increase in this
8 trend during the last few years?

9 A. Sure there is. I think there is, yes.

10 Q. I notice on the various charts that
11 you have a large number of buoys and light buoys between
12 Montreal and Three Rivers. Do you get satisfactory
13 service from those buoys or do you have any complaints
14 to make?

15 A. No, I wouldn't complain so much.
16 When they are out, we report them. They fix them up.

17 Q. Has it happened frequently in your
18 experience that some buoys would be out actually?

19 A. Yes. That comes up at the end of
20 the year, for instance, when the weather starts to turn
21 cold, really cold well there is quite a few buoys goes
22 out. It does in the fall of the year.

23 Q. Do you feel it is particularly fre-
24 quent at that time?

25 A. Yes.

26 Q. And in the springtime when do you
27 start to have all your buoys available, approximately?

28 A. There is no definite time. It depends
29 on the ice condition, when the ice is clear they
30 usually start to lay down the buoys. There is no date.



1 ENGLISH

2 Q. Approximately at what time in the fall
3 are they taking up the summer buoys?

4 A. Well when the ice starts to build on
5 the river, they pick up the gas buoys and the winter
6 buoys they lay down. The winter buoys, when it starts
7 to be cold and ice on the river.

8 Q. In your experience have you noticed
9 summer buoys being displaced by the current or for some
10 other reason?

11 A. It happens sometimes, yes.

12 Q. Has it happened to your knowledge
13 during the last year or last two years?

14 A. Well not any more than the other years.
15 Same thing last year before.

16 Q. Has it actually occurred this year,
17 for instance, that some buoys were displaced in your
18 area?

19 A. Yes. It happens. I think a couple of
20 times a couple of buoys that were out of position but
21 we report them and they put them back.

22 Q. Would you indicate to the Commission
23 the number of harbours or ports between Montreal and
24 Three Rivers in which you have to serve?

25 ---
26
27
28
29
30



/PB/RPS 1 English

2 Q. Places you have to dock ships?

3 A. We docks ships from St. Lambert downriver

4 and around the quay, down to Montreal East -- we

5 go all over these quays.

6 Q. Yes?

7 A. And then we do down to Contre-Coeur.

8 Q. Yes?

9 A. We go down to Lanoraie.

10 Q. Yes?

11 A. At Sorel we have explosives,

12 titanium^m - we have a grain elevator there, inside and

13 outside -- we have the Richelieu River being two

14 approaches-- we go in the around there, through there

15 (indicating). We have a couple of places for oil

16 there. I went there last week with an oil tanker.

17 Q. For oil?

18 A. Oil at Sorel. We have Lanctot

19 Basin at Sorel. I was there not very long ago.

20 Q. Spell it?

21 A. L-A-N-C-T-O-T -- I should make sure.

22 Q. Yes.

23 A. We go below at the new wharf there,

24 the service station. We go up to the grain elevator.

25 Q. Yes?

26 A. We go for dynamite at Sorel, up at

27 Ile aux Foins. We may go to the anchorage at Sorel from

28 Montreal. We go all over.

29 Q. Is there any other harbour or

30 piers to which you take ships between Sorel and Three



1 English

2 Rivers? Is this the last place?

3 A. I mentioned Contre-Coeur and Sorel,
4 Titanium, the Richelieu River, the drydock basin and
5 below that and the dynamite.

6 Q. Below Sorel?

7 A. Below Sorel there is no -- we get
8 down to Three Rivers going down with a ship to Three
9 Rivers, going to Dominion Coal docks.

10 Q. Do you actually take ships when they
11 are bound -- they come to Three Rivers, do the pilots
12 of your section take the ships actually to the pier
13 in Three Rivers?

14 A. Dock the ship at Three Rivers.

15 Q. Do you have the help of tugs at
16 Contre-Coeur or Sorel for the dockings you have to
17 do?

18 A. There is no tugs at Sorel, no tugs
19 at Three Rivers, no tugs at Contre-Coeur, no tugs
20 anywhere.

21 Q. The only place you have tugs is in
22 Montreal Harbour?

23 A. Montreal Harbour.

24 Q. Don't you have in your experience
25 to call up tugs, for instance, for special work you
26 would have to do or special docking at Sorel or
27 Contre-Coeur -- can you call tugs?

28 A. We can call tugs from Montreal, but
29 we don't. If it is a case of very strong wind, for
30 instance, we will wait until the wind goes down.



1 English

2 Q. I see. In fact that docking is done
3 without tugs?

4 A. Without tugs, and leaving without
5 tugs.

6 Q. Do you experience a substantial
7 difference in piloting, let us say during the summer-
8 time and early spring and late fall as to the currents
9 and other factors, the weather -- do you experience
10 differences in currents across the year?

11 A. There is, yes. When you have a coat
12 of ice, ice on the river, when it is frozen up the
13 river your work is different.

14 Q. Excuse me, you say when you have
15 ice frozen up along the river?

16 A. Yes.

17 Q. What difference does that make?

18 A. Your current in the channel is much
19 heavier.

20 Q. Much stronger?

21 A. Yes.

22 Q. How many years did you say you have
23 been a pilot in the Montreal District, since when?

24 A. I started in the spring, 1934, that
25 is 30 years ago. I have never missed a trip, never
26 missed my turn. I met all the work. I am still
27 touching wood.

28 Q. That is what I was going to suggest
29 to you. Have you noticed the increase in the length
30 of the season and the number of ships crossing the



1 English

2 District late in the fall and early spring?

3 A. Length of the season?

4 Q. Yes.

5 A. It is all around now. There is
6 no more season. It is the season 12 months a year.
7 We stopped about three weeks last winter, the last
8 ship out at the end of December. The whole season
9 they are here anyway. We don't call it seasonal work
10 anymore.

11 Q. You mentioned that you had an area
12 where you load explosives in Sorel.

13 A. Ile 'au Foins.

14 Q. Is there any other place where
15 you load explosives in your section?

16 A. Not just now, not that I know.

17 Q. Is the area where you load explosives
18 in Sorel safe? Would you think it would be better
19 to have another spot to load this type of cargo?

20 A. I think it is safe enough. You
21 are away from the city, right here. It is away off
22 Sorel, Ile aux Foins.

23 Q. Yes. Do you experience any difficulty
24 in telecommunications aboard your ship?

25 A. Aboard my ship?

26 Q. Well, contacting land, contacting
27 the pilotage station, contacting the Harbourmaster
28 or whatever it is, do you experience what is called
29 elsewhere blind spots between Three Rivers and Montreal?

30 A. Well, we get ahold of the Montreal



1 English

2 Harbourmaster below Sorel -- it is not very good. I
3 don't think we can get him. Anyway we never tried.
4 On some ships we can't contract the Montreal Harbour-
5 master. You have aboard switches, my God, about
6 10-foot switch, and the three switches and you get
7 ahold of nobody. This year I carry my walkie-talkie.

8 Q. Yes?

9 A. Not very long ago I just passed
10 above Sorel Point with my walkie-talkie and I got
11 ahold of the Harbourmaster, Montreal Harbourmaster,
12 and they couldn't do it aboard the ship with all this
13 gear, you see. It was about 37 miles from Montreal.
14 It was nice and clear.

15 Q. Was it during the day or night.

16 A. During the evening. Some of the
17 time I wouldn't be able to do it. It depends on the
18 weather. ^{Q.} /Do you carry your walkie-talkie with you
19 all the time?

20 A. I have this year.

21 Q. Do you find it is helpful?

22 A. Very helpful. The only thing wrong
23 with it, it is too heavy, too heavy to carry. If you
24 had a smaller one it would be perfect. This was very useful
25 coming to the quay, you talk to the dock and
26 tell him that. But they are too heavy.

27 Q. How heavy is your set?

28 A. I don't know, 55 pounds -- 75 pounds.

29 Q. 55 pounds?

30 A. 75, say 74. I know it is heavy. That



1 English

2 is what I want to say.

3 THE CHAIRMAN: It is a square package?

4 THE WITNESS: Not square, it is about
5 that high. (Indicating.)

6 THE CHAIRMAN: About a foot?

7 THE WITNESS: That wide (indicating).

8 THE CHAIRMAN: About a foot high, you say?

9 THE WITNESS: Yes, not less than a foot,
10 a little over a foot, maybe and wide, it is over a foot.

11 THE CHAIRMAN: It is not transister style?

12 THE WITNESS: No, it is much too heavy.
13 There is no sense coming up a ladder and carrying that
14 with an overcoat and your bag and this thing here. It
15 is not very handy. If it was smaller, you see.

16 MR. LALONDE: Thank you, Captain.
17 I will leave you in the hands of my colleagues.

18 THE WITNESS: Okay. I hope they will be
19 as good as you are.

20 THE CHAIRMAN: I think we are going to take
21 the occasion before going into cross-examination to have
22 a recess.

23
24 ---A SHORT RECESS.

25
26 ---FOLLOWING THE SHORT RECESS:

27
28 DIRECT EXAMINATION BY MR. LALONDE (CONTINUED):

29 Q. If I may, my lord, I have one or
30 two questions I left out. You referred to ships with



1 English

2 pretty big draughts of 33 or 34 feet, I understood
3 you to say in your evidence today. Captain, do you have
4 ships with such heavy draughts?

5 A. Did you say 33, 34?

6 Q. I said that. I may have misquoted you.
7 What is the deepest draught that your ships have?

8 A. Well, according to the agreement
9 we had to go three feet less than the water level.
10 Suppose you have 38 feet in Montreal Harbour, well,
11 we go with 35 feet. As long as we have three free
12 feet underneath the bottom, that is what I want.

13 Q. You always manage to keep in
14 principle three feet under the keel?

15 A. That is the way they allow ships
16 in Montreal, three spare feet.

17 Q. Do you have the same ruling or
18 regulation as to ships coming up the river?

19 A. Well, we are supposed to.

20 Q. You mean -- what do you mean "we are
21 supposed to"? Do you mean in practice it is different?

22 A. It might be less or deeper. It
23 might be a little deeper.

24 Q. Do you experience anything like
25 squat effects on your ships in your section with three
26 feet under the keel?

27 A. Yes, there is. When you get on
28 Lake St. Peter, for instance, or Contre-Coeur channel,
29 there is a lot of factors appear, and sometimes your
30 ship is very hard to steer, so hard to steer that even



1 English

2 with the wheel hard-over the ship wouldn't go around,
3 so what we do then, we lower down speed, we take off
4 the revs so we can steer the ship without having
5 the wheel very hard over to one side and hard over to
6 the other side. With a ship you can't do this.

7 Q. Does this mean you have to reduce
8 speed also with these ships on your way down or up?

9 C2 A. Yes, sure we have to.

10 Q. Does this make piloting more
11 difficult?

12 A. Of course.

13 Q. I asked you whether you have any
14 other places apart from Sorel where you would take
15 ships to and you answered the only other place was
16 Three Rivers. Between Montreal and Sorel are there
17 any other places than the ones you have mentioned
18 before where you would be called upon to take ships
19 to.

20 A. Well, I mentioned the Harbour of
21 Montreal, all of the docks. I mentioned St. Lambert
22 on the outside.

23 Q. Do you take ships as far as the
24 St. Lamberts lock itself?

25 A. When she goes up to the Seaway, yes,
26 but this is not very often. They always stop at
27 Longue Pointe for the inspection. We do have the
28 lake boats, of course, go right on.

29 Q. Where do you dock ships apart from
30 those particular places?



1 English

2 A. Did I mention Cap St-Michel, Mr.
3 Irving's place, that is a place we go, and Lanoraie
4 for anchorage. We sometimes stop there for lightering
5 up an oil tanker coming to Lanoraie, and anchor and
6 smaller ships will come in and get a couple of feet
7 off. That happens at Lanoraie, to lighter up the
8 tankers. I mentioned the Titanium on the lakes near
9 Sorel. Near year we are going to Tracy above the
10 Titanium.

11 Q. This dock is going to be open next
12 year?

13 A. Supposed to be a few more the year
14 after.

15 Q. These anchorages which you have
16 mentioned, are they considered safe anchorages, regular
17 anchorages?

18 A. No, they are not, none of them. We
19 think of them as emergency anchorage. None of them
20 are safe. Not very long ago a ship had been dragging,
21 they called up the pilots in the middle of the night
22 because a ship was adrift at Three Rivers and I
23 think one went ashore. Where you have 2,500-feet
24 wide you can see we have no safe anchorage, not in
25 our District anywhere, to my knowledge and to my
26 experience.

27 Q. Isn't it a fact you have a large
28 number of ships anchoring in the area at Lanoraie
29 pretty regularly?

30 A. Yes, usually it is so. I mentioned



1 English

2 a while ago I went down there, there were 43 ships
3 anchored from Lanoraie way down to Sorel and I had
4 no room to anchor. I called the Harbourmaster and
5 said what do you want me to do with my ship. He said,
6 the ship has to get out of the harbour, he said go
7 ahead. There was a ship that went away just as I
8 got there. I was supposed to anchor and there was
9 not enough room to anchor.

10 Q. In what way would you say such
11 anchorage is not safe since they are used all the
12 time?

13 A. It is used all the times because we
14 have no other anchorage. We have to do it. When you
15 have wind southward or east, a difficult position
16 for your ship, when you are in anchorage, if you got
17 five or six ships what are you going to do. They are
18 going to swing. I don't think it is safe.

19 Q. Is it because of this particular
20 fact that you mentioned that you don't think it is?

21 A. Emergency anchorage. According
22 to the size of the ship we are having today when
23 you ships are getting bigger, and it is the same river --
24 with a smaller ship it is okay. When you get ships
25 over 700 feet long, well, only two of them and you
26 are over 1,500 feet and if you get the three shacklings
27 out, how much distance with two ships? I don't think
28 it is safe. I call it emergency anchorage.

29 Q. Do you experience fog in your
30 District?



1 English

2 A. Fog, oh yes, we have fog.

3 Q. What time of the year mainly do you
4 have it?

5 A. Mainly, especially in springtime
6 and in the fall of the year and beside fog you get the
7 snow, and beside all this you get heavy electrical
8 showers in the summertime, so all the time you have
9 something.

10 Q. Do you proceed on the River with
11 heavy fog or do you have to anchor? What do you do?

12 A. My answer would be this: sometimes
13 we do keep on going with a small ship or sometimes
14 if it is a large, if it is good weather and good
15 conditions and easy to steer, but with the big ship,
16 heavy ship if there is rain and fog in our port we
17 have to stop and if we go in bad places we try to
18 do the best we can to get an anchorage where we have
19 enough room to swing the ship to sea. That is another
20 question, to swing a ship 550 feet wide water when
21 the ship is over 700 feet, you see. We hope for the
22 best and we pray to God.

23 Q. Have you ever been caught with a
24 ship on her way down in fog between Montreal and
25 Lanoraie, for instance?

26 A. Yes, I was Friday night with the
27 CAIRNGOWN.

28 Q. Would you spell that?

29 A. C-A-I-R-N-G-O-W-N.

30 Q. What happened on this particular



1 English

2 occasion?

3 A. Well, it was snowing -- was it
4 Friday night or Thursday -- last week sometime.
5 I was called about quarter to five and we left by
6 about five-thirty with blinding snow. The weather
7 report was good. I mean it was supposed to clear up
8 during the evening. I wasn't too keen about going
9 with this kind of weather but the captain wanted to
10 go. They had paid overtime or something and the ship
11 was late. We have our orders so we had to go and
12 we went. There was blinding snow. I had my radar
13 ready, I told them to have the radar warmed up. I
14 told the skipper the situation, so he said we would
15 manage. I said, I hope so we will manage. I let
16 go and went downriver. The captain was in the radar
17 looking at the radar, looking for the buoys, the quays
18 The apprentice was on one side and the mate was on
19 the other watching everything. I went down slow,
20 passed the bridge and I just could see a dim light
21 of the grain elevator, No. 3, and I established my
22 course and I went down very slowly and we were abeam
23 of the next buoy -- you couldn't see them for the
24 snow. We went along that way by Ile Vercheres before
25 it cleared up. I did all I could. I couldn't do
26 better than that. I had help. I had a good ship,
27 the ship's steering was good. The captain was a very
28 smart fellow. He gave me all the radar. He was telling
29 me my distance is so much from the buoy and it clears
30 up below that. So I went far away, from Cap St-Michel



1 English

2 and I lost my leading light ahead and the snow was
3 blinding. I couldn't see anything. I went around
4 Pointe Vercheres that way. Everybody was working.
5 The captain was still on the radar and the apprentice
6 -- we were all there. The ship was steering very good,
7 as I mentioned. She is not too big a ship.

8 Q. You proceeded by radar all the way
9 down?

10 A. Yes, otherwise I would have, but
11 that was the CAIRNGOWN -- with a different ship I
12 wouldn't do it. When you asked me what do we do --
13 that is what we do.

14 Q. What kind of ship is this, is this
15 a British ship?

16 A. Yes, the CAIRNGOWN, the is one of
17 the Cairn's.

18 Q. Would you have been able to do the
19 same with other foreign ships?

20 A. No, that is what I just said. It
21 depends on the men that you have to work with you,
22 the tools you have to work with. On another ship
23 I wouldn't have done it.

24 Q. Do you experience pressure from the
25 agents upon the skippers or the pilots to leave at
26 times when they prefer not to leave?

27 A. Those things happen sometimes,
28 yes. It will happen, but not companies like the
29 Manchester, the C.P. or the Cunard Lines, but some
30 companies that have agents put in at Montreal, there



1 English

2 is a kind of pressure that may go on even if it is
3 foggy to St-Michel they don't care. They will say
4 a ship has got to go -- that ship has gone, why don't
5 you go. There is something like that. There is
6 pressure.

7 Q. Do you experience difficulty with
8 little schooners on the St. Lawrence River and also
9 yachts in your area?

10 A. Yes, but I think there is an
11 improvement with the schooners. They used to be very
12 bad. I had a lesson with one and I will never forget
13 it, but I think there is an improvement with the
14 schooners. But the yachts -- we can never go out
15 anywhere, you have to watch for them day or night.
16 Those things are all around when you are going down,
17 upriver. We have to be very careful.

18 MR. LALONDE: Thank you.

19
20 CROSS-EXAMINATION BY MR. MASON:

21
22 Q. Pilot Arcand, you have indicated
23 on chart 1336 and anchorage area at Three Rivers and
24 also the position of a bridge which is proposed to
25 be built from the north shore over to the south shore.
26 I wonder if you could tell me if this bridge, if it
27 is constructed is it in any way going to interfere with
28 your use of this anchorage area?

29 A. Well, it will be in the anchorage
30 area. It will be, so it will interfere, I think.



1 English

2 It depends on what kind of bridge it is going to
3 be, what kind of pier they are going to have, but
4 interfere, yes, it will interfere because it is right
5 in the anchorage.

6 Q. Is there any other area in this
7 vicinity of Three Rivers that you can anchor?

8 A. That I can or cannot?

9 Q. That you can anchor?

10 A. Above the bridge, yes, we can
11 anchor, yes. You can't below on account of the
12 submarine cable, but above that yes, you can anchor.

13 MR. MASON: Thank you.

14
15 CROSS-EXAMINATION BY MR. BRISSET:

16
17 Q. Pilot Arcand, you have spoken of
18 a new port installation that is now being prepared
19 at Tracy. Could you indicate to us where that is
20 located on the chart?

21
22
23
24
25 -
26
27
28
29
30 -



MR/RPS

1 English

2 A. The power cable, it's somewhere
3 below here (indicating). And there is another place
4 at Tracy. I think it is around here. Somewhere
5 around here (indicating).

6 Q. Therefore it would be some distance
7 upbound from the town itself of Tracy?

8 A. Yes.

9 Q. On the south shore of the River?

10 A. Yes, that is right.

11 Q. Since the last war there has been
12 quite an industrial development on the south shore
13 and it has a tendency to build installations there
14 to dock ships?

15 A. Sure. You see, the grain elevator
16 was built in 1936 I think, and at Sorel a few ships
17 were there before the war but here it is becoming
18 quite a big port from the titanium business; always
19 some ships there most of the time. The grain
20 elevator, shipping out much more grain than they
21 used to. Same with the dynamite. They have schooners
22 laid on for the dynamite, so it is getting bigger and
23 bigger every year. Same with Three Rivers. Same
24 all over.

25 Q. In other words, before the war
26 you didn't have to take ships to dock on the south
27 shore of the river between here and Sorel ?
28 Contre-Coeur didn't exist?

29 A. No. Contre-Coeur didn't exist,
30 Tracy didn't exist, Lanoraie didn't exist then.



1 English

2 Q. In other words, the Harbour of
3 Montreal has a tendency to develop itself on the
4 south shore going down from Longue Pointe down to
5 Sorel?

6 A. I should think so because there is
7 no other place to build than on the south side. We
8 were talking about Mr. Irving, he tried to get a dock
9 on the north side. He couldn't do it. They refused
10 him. They built a dock on the south side of Cap
11 St-Michel. That is why they laid down buoys for ships
12 to unload their oil, you see. What do they have to
13 do to build a new dock? They have to build them on
14 the south side. No more room on the north side.

15 Q. Now Pilot you have showed us on
16 chart No. 448 the anchorage at Lanoraie which is
17 shown by two green lines, one upriver and one down-
18 river. I notice that this particular anchorage appears
19 to be much larger than the other ones.

20 A. Yes. Lanoraie is better, yes.

21 Q. Why is that? Is it because the
22 holding ground is much better there than anywhere else?

23 A. There is more space. That is the
24 first reason. The holding ground is good too and
25 well, you take, for instance if you take Sorel for
26 instance look at the anchorage that we have at Sorel
27 here with big ships and if you look here, 32 feet
28 there, look at this, here you have a spot of 27 feet,
29 here you have another spot of 10 feet and you've got
30 to anchor your ship right between those two spots



1 English

2 (indicating). So it is a bad anchorage at Sorel. If
3 the ship has to go at Sorel we have to anchor there,
4 if it is at that time of weather you anchor your ship
5 properly, and if the weather breaks up, northeast
6 wind, for instance, you swing right in the channel.
7 You are coming up with the big ship, and another ship
8 is coming up you are pushed by the wind across your
9 channel. It makes it very bad. At Lanoraie you
10 have more room and you anchor here, you swing around
11 just the same but there is more space at Lanoraie.

12 Q. As you come up the bend after Sorel
13 you get into the area which you have described as the
14 Lanoraie anchorage?

15 A. Yes.

16 Q. And particularly into the straight
17 stretch from Ile aux Foins up?

18 A. Yes.

19 Q. What is the navigable, usable
20 part of the channel there?

21 A. Well we have our ranges to go with.

22 Q. Is it about 2,000 feet?

23 A. Yes. That's the most. We have
24 1,400 feet here at the buoy up to 2,000 feet, to become
25 1,000 feet and 800 feet, to get into the channel
26 so we make the course in the centre up to deep water
27 and the ships are anchored on the north side.

28 Q. What is the current there?
29 Is it fair in that stretch?

30 A. Yes, quite fair.



1 English

2 Q. In other words, you won't get any
3 set in that particular stretch of the river?

4 A. No, no set there.

5 Q. Now Pilot, you have been good enough
6 to take us out on an Empress ship from the Harbour
7 of Montreal to Three Rivers and there were some of
8 the points you have covered I would like to touch upon.
9 Let us start from Montreal at shed 9 with your tugs.
10 What would be your means of communication with your
11 tugs?

12 A. My walkie-talkie or the ship's
13 radio-telephone, I can do it, but as I carry my walkie-
14 talkie outside, I was talking to the tugs.

15 Q. In other words, what you would prefer,
16 and I suppose would recommend, is the use of the walkie-
17 talkie as a means of communication, as the more helpful
18 means of communication between the ship and tugs?
19 If you had to choose between various means, which one
20 would you prefer?

21 A. I would prefer the ship's radio-
22 telephone because I wouldn't have to carry my own. That
23 is the first reason, because it is a nuisance for me
24 to carry that walkie-talkie but as all ships do not
25 have the radio-telephone, I carry my own and I use
26 my own, so I use my own, you see, but if all the ships
27 had the radio-telephone, it would be better.

28 Q. I take it that the Empress ships
29 are fitted with radio-telephone?

30 A. They have, oh yes.



1 English

2 Q. I am not trying to trick you but
3 would you carry a walkie-talkie in such a case?

4 A. Yes. I carry my walkie-talkie.
5 I am going down on an Empress boat. What kind of a
6 ship I am going to have on the way up? I don't know.

7 Q. It's for the next ship?

8 A. I carry my walkie-talkie for the
9 next ship. I may have a big oil tanker and it won't
10 have the radio-telephone so I like to have it. That
11 is why I always carry it. I never know which ship
12 I am going to have next, you see.

13 Q. Am I right in understanding, from
14 what you have just said, that if all ships were fitted
15 with radio-telephone you wouldn't see any use for your
16 walkie-talkie?

17 A. No. I wouldn't bother about my own
18 there. I wouldn't bother. I would use the ship's
19 radio-telephone all the time, you see. That is what
20 I would do.

21 THE CHAIRMAN: On the same line of questioning,
22 of course one of your objections is that your set
23 is bulky. It's heavy but if you were equipped with
24 a smaller set, much lighter, would you prefer it?

25 THE WITNESS: I think with this smaller
26 set, I would prefer to carry it. I find it useful
27 like reporting directly at Sorel, for instance. I
28 talk to Sorel, tell them where I am going to Montreal
29 and at what time I am due. Before I get to Montreal
30 the Harbour Master knows all about it. It's very



1 English

2 useful. I like it.

3 THE CHAIRMAN: Even when you are on the
4 bridge don't you think it might be much more useful
5 to have the walkie-talkie? You won't be obliged to
6 walk down to the set. You have it in your hand.
7 Wouldn't that be of use, or an advantage? If you are
8 on the port-side, for instance, you don't have to
9 walk back to the wheelhouse.

10 THE WITNESS: Well, I don't know.

11 THE CHAIRMAN: No?

12 THE WITNESS: It isn't much in it anyway.
13 We are always walking from one side to the other of
14 the bridge anyway. We are used to it. That wouldn't
15 bother me.

16 Q. So I take it Pilot you would be
17 satisfied with the radio-telephone on board ship?

18 A. Yes. If all the ships had it, we
19 wouldn't bother carrying our own because it is a nuisance
20 to carry.

21 Q. Now in the Harbour of Montreal do
22 you have occasion in communicating with the tugs to
23 use a pre-arranged system of signals?

24 A. When I am talking with the tug on
25 my walkie-talkie?

26 Q. No, on the ship's whistle, on the
27 tug's whistle have you occasion to use ---

28 A. No more with my walkie-talkie. Always
29 get on channel one and I keep talking with the tug on
30 my number one channel and I am not using the whistle



1 English

2 anymore. Even the ship's whistle, no more whistle.
3 That is a thing of the past with my walkie-talkie.

4 Q. Do you think, pilot, there is an
5 advantage in having an agreed pre-arranged system of
6 signals between tugs and ships over the whistle as
7 a measure of security?

8 A. Well we have a whistle with the
9 tugs already. We have the signals.

10 Q. You have a pre-arranged system with
11 the tugs?

12 A. Pre-arranged system?

13 Q. You blow one it means such a thing?

14 A. Yes, we have that. Yes, sure. But
15 I say I am not using them anymore because I am always
16 using my walkie-talkie, you see. I talk to them on
17 channel one, so I go outside and talk with them all the
18 time on my walkie-talkie.

19 Q. You agree, even though you are
20 using your walkie-talkie, that it is a good thing to
21 have such a pre-arranged system of signals in case
22 of emergency, for instance?

23 A. Yes, sure.

24 Q. Let's go down with your Empress
25 downriver, Pilot. You have spoken of buoys. Are there
26 other marks or navigational aids which you use apart
27 from buoys in going downriver?

28 A. Yes, sure. We have our landmarks.
29 We have all the appointments. We have the ridges,
30 we have the end of the bush over there and you have



1 English

2 other things.

3 Q... On the way down from Montreal to
4 say Three Rivers is there a system of ranges and
5 leading lights that will show you or will show the
6 navigator of the ship where the centre of the channel
7 is?

D 2 8 A. Yes, there is, yes.

9 Q. Of course in good weather.

10 A. In good weather, when you see the
11 marks, yes.

12 Q. And at night these ranges would be
13 of course the leading lights that you could follow
14 going down all the way?

15 A. Yes.

16 Q. Let us assume that you're in fog
17 or bad visibility, rain, or other causes, what
18 would you rely on mainly?

19 A. Well I have my course on my
20 gyrocompass. I don't see my leading lights, that
21 is what you said?

22 Q. Yes?

23 A. Well I see on my course, on my
24 gyrocompass if I don't see ahead.

25 Q. And you would also use radar?

26 A. I would use the radar sir as
27 I did on the current when I left the other day. I
28 steered on my gyrocompass on my course and I had
29 my radar and I had men standing by for the anchor
30 in case of emergency, and I had men standing by on the



1 English
2 port-side and on the starboard-side watching for the
3 buoys passing by and I was there to give orders to
4 change course when it was time to change course.

5 Q. Would you use also the radar at
6 night even though there might be good visibility?
7 Do you find the radar a useful aid even under those
8 conditions?

9 A. On a clear night we don't use it.
10 What I do personally, very often I have the radar
11 on, just the same to practice and see the distance
12 of the buoys. I am studying in fine weather so then
13 I may catch it in bad weather, or get the idea how
14 to work it. No two sets work the same. Always some
15 difference between radar. I am always interested
16 in radar.

17 Q. Would it still be correct to state
18 that even in good weather at night the radar does
19 prove to be a useful aid to navigation?

20 A. Very useful. It is a very useful
21 instrument, yes.

22 Q. Let's go back on the Empress after
23 she has left her tugs. Normally whom would you have
24 on the bridge to assist you? What would be the watch?

25 A. On the bridge?

26 Q. Yes?

27 A. On the Empress boat?

28 Q. On the Empress boat.

29 A. You have the captain and you have
30 the staff captain most of the time with you. You have



1 English
2 a senior officer. You have a junior officer. You have
3 a quartermaster. You have a stand-by quartermaster.
4 You have a couple of bellboys besides them. You have
5 about twelve I think together.

6 Q. If the radar is on, who would keep
7 a watch on the radar?

8 A. Well on those ships, the Empress
9 boats we always have an officer that looks after the
10 radar. Sometimes the captain does too. I remember one
11 of the C.P. captains, he was an expert in the radar
12 and he could tell you to the inches how far we are
13 off the point; how far we were off the buoy and on
14 that boat it is the captain who was looking after the
15 radar. Most of the time it is one of the officers.
16 I do go sometimes to make sure, but the officer is
17 looking after the radar on those ships.

18 Q. And the officer would report to you?

19 A. Yes, the officer would report to me.

20 Q. As the ship goes down ---

21 A. There is something ahead coming up,
22 or something going down and the distance and different
23 things the officer reports to me.

24 Q. In other words, you will be relieved
25 of having to tend the radar yourself?

26 A. I have to be ready to change my
27 course. I have to watch my course, which way I am,
28 and change it. I have got to -- I cannot be in two
29 places at the same time. There is always somebody
30 in there.



1 English

2 Q. The master, doesn't he stay on the
3 bridge during that passage?

4 A. In bad weather. In a case like this,
5 yes, he does. Otherwise in fine weather he doesn't.

6 Q. But you would have the rest of the
7 watch that you have mentioned there even in good
8 weather?

9 A. Yes.

10 Q. Now you have told us that the
11 minimum width of the channel, of the dredged channel
12 was 550 feet?

13 A. Yes.

14 Q. There are spots or stretches where
15 the channel has been dredged, I understand, to 800
16 feet?

17 A. Yes.

18 Q. Particularly I understand the channel
19 has been dredged to 800 feet from Vercheres to Lanoraie
20 Curve?

21 A. To Lanoraie Curve, yes.

22 Q. That is correct?

23 A. Yes.

24 Q. At Sorel, from Ile Aux Raisins
25 anchor to Sorel again it is 800 feet?

26 A. Yes.

27 Q. In other places you may have, like
28 in the Lanoraie anchorage ground a navigable width
29 of over 1,500 feet?

30 A. About that, roughly. On the average,



English

yes.

Q. Now Pilot it seems to me from the evidence you have given that the main problem or main difficulty that you encounter going downriver is the current which will set you over to the south or to the north. That is the main thing you have to watch all the time I take it?

A. Well we have to watch it. I suppose one of the main things with a big ship like this, the main thing is to keep your ship right in the centre of the channel because if you don't watch your ship, and you are not in the centre, you will go over to the one side or the other. What happens, you get your suction from the bank with your screw turning, and you go right across the other side of the channel, you see. That is one of the main things so with your ship right in the centre, you don't go on one way or the other because you are going to start to sheer and never stop sheering so that is the thing and you got to be right there, can't leave your place for a second. When the boy comes along to give me dinner at Cap St. Michel, don't think I am sitting down to get my dinner. I am just having it when I am standing up and looking at my ship all the time. Same as I was drinking my coffee. I cannot sit down. Got to be there right at the time every second.

Q. In other words Pilot you have to keep your leading lights at night, or your ranges during the day in line?



1 English

2 A. In line, yes sir, you have to.

3 Q. If they open up one way or the other,
4 you will see it right away and you will take the
5 required action?

6 A. That is right. Come back right
7 away because you are going to get in trouble.

8 Q. You were asked whether you were
9 satisfied with the buoy system in the River. I want
10 to go further. Are you also satisfied with the system
11 of ranges and leading lights between here and Three
12 Rivers?

13 A. Yes. I wouldn't complain so much.
14 Sometimes at the end of the season some of the ranges
15 go out quite often. Like last year I think there
16 were -- I went down one night, I think we had five or
17 six sets of ranges out, high light, low light, I don't
18 know. Anyway, they were out. That is at the end of
19 the season, beginning of the season but normal time,
20 I wouldn't complain.

21 Q. What you are speaking of now Pilot
22 are mechanical breakdowns. I was thinking particularly
23 of the manner in which they were set up. Their
24 positions, and so forth. As far as that is concerned,
25 you consider that they are properly placed?

26 A. Yes.

27 Q. They are placed in the best spots
28 to assist you?

29 A. Yes, in general I wouldn't complain
30 at all.



1 English

2 Q. It has been said that the St. Lawrence
3 ship channel is one of the best-buoyed and best-equipped
4 with aids to navigation in the world. Would you agree
5 with this Pilot?

6 A. And it has to be. It has to be other-
7 wise we wouldn't do the work that we are doing just
8 now with the size of the ship. It has to be that
9 way with the conditions we are having. It has to be
10 that way.

11 Q. The Empress ships, of which you have
12 been talking, are vessels equipped with two screws
13 I understand?

14 A. Yes.

15 Q. Do they give you better control on
16 the ship?

17 A. Better what?

18 Q. Does that give you better control
19 on the ship?

20 A. Better what?

21 Q. Does that give you better control
22 on the ship? Do they steer better because of being
23 equipped with twin screws?

24 A. No. They steer worse. Single
25 screw always steer better than twin screws. Single
26 screws always steer better than the twin screws. That
27 is my experience.

28 Q. Would you agree they handle
29 easier?

30 A. Well, yes, going alongside to get off



1 English
2 a quáy, you stop your port anchor, come starboard,
3 that handles better, yes, I agree with you on that
4 but not for the steering.

5 Q. Now I understand pilot that this
6 time of the year we are having quite a bit of traffic,
7 very heavy season as far as traffic is concerned at
8 this time for the last two weeks particularly?

9 A. Yes sir.

10 Q. How many trips did you do last
11 week Pilot?

12 A. How many trips? I made about a
13 trip a day on the average.

14 Q. I mean last week?

15 A. Yes, during the rush, yes, a trip
16 a day. I should say a trip a night because I have
17 been sleeping during the day and out at night. I
18 lost one day on that. They called me up at 7:30 in
19 the morning and the office said would you go down to
20 Sorel to meet a ship. I said yes, I would go. They
21 said it's set for eleven o'clock, and you have a bus
22 at nine o'clock. I said all right I will go and I
23 got down to Sorel. I got to the office at Sorel and
24 he said my God your ship won't be away pilot before
25 two o'clock. I said all right, I will wait. At
26 two o'clock she didn't ship. He said four o'clock.
27 I waited until four o'clock and at four o'clock, it
28 was five o'clock and at last I shipped up at seven
29 o'clock at night, and I came back, you see, at Montreal
30 at ten o'clock at night so the whole day gone just for



1 English

2 that ship.

3 MR. LALONDE: For the Department of Trans-
4 port you didn't work until seven o'clock at night.

5 THE WITNESS: For the Department of
6 Transport I didn't do nothing, yes. No, I mean to say
7 I got something during the day because they don't
8 mention at night. We are supposed to work so many
9 hours a day, never mention the night.

10 Q. Does that occur often, these trips
11 to Sorel to ship?

12 A. Sometimes.

13 Q. And you lose a day?

14 A. I lose a day, yes. The week before,
15 at nine o'clock in the morning they phoned up. Told
16 me to stand by, we have three ships supposed to go
17 anytime. Get ready at nine o'clock in the morning.
18 I said all right. I waited until noon and at noon
19 I phoned back. I said what is wrong with the ship.
20 Is it not going? Oh no, he said, they will be going
21 anytime. They will get the phone, and they phoned
22 me up at two o'clock for a ship to go down at
23 Lanoraie at four o'clock to get down to the Island.
24 I got there at quarter to four and at four o'clock
25 somebody from the quay came aboard and said Pilot
26 you are cancelled, the ship is cancelled, still
27 not going. I said all right.

28 -----



1 ENGLISH

2 So, the Captain went to the office, he
3 phoned up to this agent to find out what was wrong.
4 He came back and said, Pilot, you are cancelled. I
5 said, thank you. That was at four o'clock in the after-
6 noon on Saturday. The main street was full of cars,
7 lots of traffic. It took me about two hours to go
8 down to the ship and I phoned up to the office when I
9 came back, and I said what are you going to do with me.
10 They said, now, you stand by we have a ship at St.
11 Lambert that will come up to Montreal and you are in
12 for that ship at seven o'clock. I said all right, so
13 I waited. At seven o'clock they phoned up again. Go
14 to Lanoraie to take a NORTH something -- one ship
15 at Lanoraie. I got to Lanoraie at ten o'clock at night.
16 I got aboard and he said, Pilot, the Captain said, the
17 ship isn't ready to go. I said, all right I will wait
18 till you are ready.

19 The Harbour Master got ahold of us. He
20 had a radio-telephone. He said, Pilot, don't leave
21 before three o'clock in the morning because you are
22 going at quarter to three on the NORTH something, there
23 is a ship, she won't leave before this. There is no
24 hurry for you to come up. You leave there at three
25 o'clock in the morning. That is what I did. They gave
26 me a room and it was cold, and God, I didn't want to
27 sleep there, I would have been a dead man in five minutes,
28 so I just sat down in the Chart Room and waited till
29 three o'clock in the morning and the Harbour Master
30 phoned me up and said the ship is going to be delayed,



1 ENGLISH

2 take your time. The ship is going to be delayed. She
3 won't go at six. She will be going at seven, take your
4 time. I took my time coming up. I left my ship
5 at Longue Pointe at 7:30 and docked at 8:00 o'clock and
6 got home at 9:00 o'clock so that was twenty-four hours
7 standby and running to Lanoraie, to the Imperial Oil
8 Dock, to make 29 miles of piloting with the ship. That
9 is what the Department did. They want to say take the
10 time you got there, not one moment longer, three hours
11 work for the pilots, and it took me twenty-four hours
12 to do that work. I had been up all day and a night,
13 that was a week ago.

14 Q. Pilot, isn't it true when there is
15 quite heavy traffic as we have had for the last two
16 or three weeks quite a number of ships have to anchor
17 at Lanoraie?

18 A. Yes, we have quite a number.

19 Q. Would you agree with me it is not too
20 practical to send pilots from Montreal, River pilots
21 from Montreal to do this job of taking a ship up from
22 Lanoraie?

23 A. Why not?

24 Q. If the change of pilots, instead of
25 being at Three Rivers was in the vicinity of the anchor-
26 age near Sorel wouldn't it be much more practical and
27 avoid all this lost time for you?

28 A. Not at all, not at all.

29 Q. It seems to me, don't you agree, it
30 would be simpler and a saving of time to despatch a



1 ENGLISH"

2 pilot from Sorel to a ship at anchor at Sorel or to
3 dock at Sorel or at Lanoraie Anchorage? than to send a
4 pilot from Montreal?

5 A. It might seem to you. It would seem
6 different to me. It would bring us lots of changes,
7 lots of trouble, worse than we are having now. Just now
8 we are happy. We are satisfied. We are not asking
9 for anything. There is nothing wrong with us. We are
10 getting along fine. This thing happened. It is part
11 of the job. That is what we have to do. That is what
12 pilots are for, to take ships from Lanoraie or Sorel
13 or anywhere else.

14 Q. I thought you weren't happy with the
15 twenty-four hours that you had lost?

16 A. I think these things happen.

17 Q. On this particular case...

18 A. I am not happy with the Department,
19 when they don't give me the time I have put in for a
20 ship. I am very unhappy. I want my time for the work.
21 That is what I am arguing. I have been discussing this
22 matter with Captain Slocombe and I got this letter. I
23 will show his honour this letter. I got this letter,
24 I have it now -- they want to change it again this
25 summer. I have been arguing on this matter so long.
26 I was very unhappy, I was unhappy more previously and
27 this winter, that is after all the arguments we had with
28 the Department figuring our time -- I want the time to
29 be from the time I was ordered, when I go down for
30 an oil tanker if they call me at three o'clock and they



1 ENGLISH

2 don't go till five o'clock in the morning and when they
3 don't want to give me my time I am very unhappy. Then
4 this summer I got a letter -- read it.

5 THE CHAIRMAN: Would you read it into
6 the record, Mr. Jacques. It is in French. It will
7 have to be translated.

8 MR. JACQUES: The document reads as
9 follows:

10 FRENCH

11 "Montreal, the 30th of July, 1963,

12 Advice or Notice to Pilots:

13 In order to uniformize the noting
14 of hours on your own pilotage card
15 the Superintendent of Pilotage re-
16 quests me to explain to you again the
17 procedure to be followed as regards
18 the hours to be inserted within the
19 framework of ordered time, reported
20 time and of sailing time. In the frame-
21 work of ordered time you should in-
22 dicate the hours at which your presence
23 is required aboard. If the office calls
24 you at ten o'clock for a twelve o'clock
25 you should indicate twelve o'clock
26 in this framework of ordered time.

27 Now, in the framework or the box
28 of reported time, if you have been
29 called upon at twelve o'clock and if you
30 arrive on board at 11:45 then in the



1 ENGLISH

2 box, reported time, you should in-
3 dicate this time of 11:45. In the
4 framework or box of sailing time you
5 should indicate the actual hour of
6 departure of the vessel.

7 Now, if after having been called
8 upon for twelve o'clock the vessel
9 only leaves at 12:45 you should indicate
10 12:45 in the framework or box marked
11 'sailing time'. So your card will thus
12 be completed, ordered time twelve o'clock,
13 reported time 11:45, sailing time 12:45.

14 On no occasion is it necessary
15 to indicate the hour at which you took
16 the first telephone call. I think these
17 explanations given above are very clear
18 and I would call upon you in the future
19 to be good enough to fill your cards
20 as indicated. A card which isn't prop-
21 erly completed will be returned to you
22 and the collection of your pilotage
23 dues will be consequently delayed. Please
24 note this is indicated on the Supervisor
25 of the District."

26 THE WITNESS: After having discussed
27 this matter with the Authority in Ottawa, with Captain
28 Slocombe himself, and it was once understood when we
29 were called we would put down the time called and this
30 came again, and didn't want us to put the time when we



1 ENGLISH

2 were called. I was mentioning during the twenty-four
3 hours a while ago -- I put up my card and it will be
4 about three hours after being up for twenty-four hours.
5 I think it is very unfair and I am not very happy in
6 cases like that. They should give me the time I put
7 in, you see. In a case like this I am unhappy. Beside
8 that I am happy the same as the other pilots. We are
9 satisfied. We are not asking for anything. We are happy.

10 THE CHAIRMAN: This is a good example.

11 THE WITNESS: This is a good example.
12 It happened to me twice, last week and the week before.

13 THE CHAIRMAN: This problem of reporting
14 duty and the work load, this is a good example.

15 THE WITNESS: And this form of time
16 back from Lanoraie, it isn't in. We have 12 miles to
17 cover. It takes a long time especially when you are in
18 the big rush of the traffic hour.

19 MR. BRISSET: I have just one more
20 question: You have spoken of an agreement relating to
21 the number of feet which the ship had to have under
22 her bottom in order to negotiate these pilotage waters
23 between Montreal and Three Rivers. You mentioned three
24 feet?

25 A. That is right.

26 Q. Isn't it a fact that the agreement
27 is that one depends on the ruling of the Port Warden
28 and the number of feet of clearance varies from three
29 feet, six inches in the case of a large ship to consider-
30 ably less than three feet in the case of a small ship?



1 ENGLISH

2 A. Well, the anchorage -- when I was in
3 the Board -- I don't know -- it is a long time ago. We
4 came to an agreement especially with the big oil tankers,
5 Shell Oil tankers, there was an agreement with the
6 Shipping Federation, with the Company and the Pilots
7 and the Department and we had a gentleman's agreement
8 to have three spare feet. It might be a little more or
9 a little less. There was a kind of an agreement like
10 this.

11 Q. When you spoke of an agreement you
12 weren't referring to the rules of the Port Warden?

13 A. No, no.

14 MR. BRISSET: Thank you.

15
16 RE-DIRECT EXAMINATION BY MR. LALONDE:

17
18 Q. Captain, you answered my colleague,
19 Mr. Brisset about radio-telephones aboard ships?

20 A. Yes.

21 Q. Isn't it a fact that the channels
22 you would use for these ships would be channels 6 and
23 12, is that it, radio-telephones, V.H.F.?

24 A. 16.

25 Q. It is 16?

26 A. 16 for the calling use. We may call
27 on 12 or 16.

28 Q. Isn't it a fact you have on those
29 walkie-talkies a range which is called range 1?

30 A. Range 1.



1 ENGLISH

2 Q. Which is exclusively for walkie-talkie
3 communications?

4 A. Yes, range 1, yes. Range 1, yes.

5 Q. Would this not be an advantage if
6 you had really portable sets, let us say, to have walkie-
7 talkies, in view of this range 1 which is a separate
8 range which you can use continuously, would there be
9 advantage to this?

10 A. Yes, on the private one sometimes,
11 and yes there would be one advantage, in number 1.

12 Q. Could you use No. 1 aboard a V.H.F.
13 set aboard ships? Do you have range 1 only on walkie-
14 talkies?

15 A. Only on the walkie-talkies. I am
16 not talking about the walkie-talkies we have now because
17 it is too heavy. It is too heavy, if we had a smaller
18 one.

19 THE CHAIRMAN: Can you talk through
20 the walkie-talkie to a set with V.H.F., is there a
21 range going to V.H.F. on your walkie-talkie?

22 THE WITNESS: On 2, channel 2.

23 THE CHAIRMAN:
24 So you can talk from your walkie-
25 talkie to a ship?

26 THE WITNESS: That is right.

27 THE CHAIRMAN: With V.H.F.?

28 THE WITNESS: On channel 2. Channel
29 1 is private.

30 THE CHAIRMAN: While we are on this
subject when a tug is very close to the ship do you have



1 ENGLISH

2 any dead spots with your walkie-talkie?

3 THE WITNESS: No, I never noticed any
4 dead spots. I go on the side and I use my No. 1 on
5 the walkie-talkie.

6 THE CHAIRMAN: All the time?

7 THE WITNESS: It is nice and loud.
8 I never noticed any blank spots.

9 MR. LALONDE: With the range 16 to
10 which you refer, isn't it simply a general call range?

11 A. Yes, that is it.

12 Q. Can you carry a conversation on in
13 that range?

14 A. No.

15 Q. Can you keep the conversations on
16 ranges 6 and 12?

17 A. 6 and 12, on the other calling.

18 Q. Are those these public ranges in a sense
19 are not other ships coming into the range contin-
20 ually?

21 A. Not continually, but they may use
22 it too, sometimes. If I was to talk and another ship
23 was on 12, there would be two on the channel. 16 is
24 a calling number. They never speak on 16. Of course
25 we shift to 12 or 6 or 10. Another ship may do the
26 same. We may happen to be two ships on the same channel.

27 Q. Has it happened to you in your ex-
28 perience you would experience delays like that getting
29 on 6 and 12?

30 A. Well, sometimes, yes it happens.



1 ENGLISH

2 Q. Would you have the same experience
3 on Range 1 with the walkie-talkie?

4 A. I don't think so. I don't think so.

5 Q. Is it your experience that you have
6 certain spots when the leading lights between Montreal
7 and Three Rivers wouldn't indicate the centre of the
8 channel?

9 A. Yes.

10 Q. What happens to make this difference?

11 A. Well, you take that course on Lake
12 St. Peter from current No. 2 down to Yamachiche and the
13 leading lights are dead on the line and you are closer
14 to the black buoy than to the red buoy. In the summer
15 the ranges, according to the dredging they have been
16 doing -- we know all that.

17 Q. According to the dredging, is that
18 because they have dredged one side of the channel?

19 A. Yes, some of them are sometimes more
20 on the other side and your ranges and lights don't show
21 you the right centre of the channel.

22 Q. Is it they haven't adjusted the
23 leading lights accordingly after they have dredged?

24 A. Well, I don't know. I know the light-
25 house has been canting. That might be the reason, the
26 lighthouse has been canting a bit. That might be one
27 reason. Sometimes when they lay down the buoys the buoys
28 are lined to a bit more of the centre than they should
29 be. Those things happen.

30 Q. Do you have other leading lights which



1 ENGLISH

2 wouldn't indicate the centre of the channel?

3 A. We have, the upper course in Contre-
4 Coeur.

5 THE CHAIRMAN: This doesn't appear from
6 the charts.

7 THE WITNESS: Which course are you on,
8 sir?

9 THE CHAIRMAN: I mean, for instance,
10 St. Peters?

11 THE WITNESS: No, no, it don't appear
12 on the maps.

13 THE CHAIRMAN: If you look at the
14 chart you are on dead centre.

15 THE WITNESS: If you look at the charts,
16 if you are on the ship and your leading lights are in
17 line you are closer to the black than to the red.

18 THE CHAIRMAN: Is that every year,
19 does that change?

20 THE WITNESS: You change sometimes.

21 THE CHAIRMAN: From year to year.

22 THE WITNESS: Changing sometimes.

23 THE CHAIRMAN: Depending where they
24 place the buoys every summer.

25 THE WITNESS: The buoys are in line but
26 they might be a few degrees inside or outside, but I
27 know it is so, the number 2 ranges we are dead in line
28 and I am closer to the black than the centre.

29 MR. LALONDE: Have you had experience
30 with some leading lights would be displaced by ice?



1 ENGLISH

2 A. On Lake St. Peter they can't, No. 2,
3 Pointe du Lac Ranges is the same thing. If you are in
4 the upper part of the course your leading lights are dead
5 on, you are closer to the black buoy at the upper
6 part of the course.

7 Q. You also mentioned the upper transverse,
8 Contre-Coeur?

9 A. Yes, they have been doing some dredging
10 there and we never bring the leading lights in line.

11 Q. Are there other places where you are
12 faced with the same situation?

13 A. Yes, there is coming up to Ile St
14 Ours Course. They have been dredging on the north side
15 so the leading lights are a little much closer to the
16 black than the red in the centre.

17 Q. Is that all?

18 A. There might be some others, Nicolet
19 Transverse is the same, they have been doing some dredg-
20 ing on the north side of it and the leading lights in
21 line, you are not in the centre of the channel. That
22 is another one.

23 THE CHAIRMAN: Isn't that a hazard
24 for other people not having pilots around?

25 THE WITNESS: Oh no.

26 THE CHAIRMAN: They know about that?

27 THE WITNESS: No, how could they know.
28 We know because we are always in the river. The stranger
29 wouldn't know that.

30 THE CHAIRMAN: Isn't that a hazard



1 ENGLISH

2 for the others?

3 THE WITNESS: Yes, especially those.

4 We know it because we are always in the river day and
5 night.

6 THE CHAIRMAN: Have you complained
7 about that not being shown on the chart?

8 THE WITNESS: The pilots never complain
9 too much. We know the buoys and we know about it so
10 we go accordingly.

11 THE CHAIRMAN: So you know the others
12 are going to be off course.

13 THE WITNESS: We know that the others
14 know as well as we, so we manage.

15 MR. LALONDE: You stated that the
16 main thing when you were piloting was to keep the ship
17 in the centre of the channel. Do you mean, you stated
18 you were meeting up with other ships on a trip, do we
19 understand you to mean all the time you keep there in
20 the centre of the channel?

21 A. We never stray from the centre. We
22 go out to meet a ship coming back and go out again.
23 We never stray.

24 Q. Can we say in your section of the
25 District that there is what probably is the north side
26 of the channel which ships can take all the way down
27 river or are there ships coming up and down keeping
28 to the centre of the channel until they meet -- what
29 do they do?

30 A. With big ships that is what we do.



1 The smaller ship wouldn't go up river right dead in
2 the centre of the channel. This is our practice and
3 this is what we do. Even other ranges. With small ships
4 we don't have to be so careful. With the big ships
5 we have to be in the centre.

6 Q. You referred to the word "poulier"
7 in your evidence, what does that refer to?

8 A. That is a place, a point where there
9 isn't much water, five feet or six feet. We call this
10 a ~~poulier~~ because there is no water.

11 Q. My friend asked you how many people
12 you had to help you on board the EMPRESS, for instance,
13 when you were piloting. Do you have always the same
14 staff to help you on the river with other ships? If
15 you go to the other extreme what you end up at?

16 A. You want me to tell you what happened
17 not long ago. The ship's name was the WORLD CHAMPION,
18 a good size ship coming up river. I had orders to take
19 it to the B.A. Dock, British American Dock 106. The
20 Harbour Master told me that. After I reported to the
21 ship's officer at Sorel you are at the B.A. Dock, all
22 right, thank you. The WORLD CHAMPION -- I got there,
23 of course it was pouring rain, easterly wind quite strong,
24 fresh, and I had one of the BRANCH boat docked at the
25 lower part of the dock, okay. I came by and the Captain
26 looked at me, he looked at his ship, looked at the dock
27 he said, Pilot, I am not going in there. I said,
28 Captain, we have orders to go there. He said, Mr.
29 Pilot, look at my ship, look at the dock, I have no
30 room for my ship. I don't want to go there. He was



1 ENGLISH

2 crying himself. I called the Harbour Master again telling
3 him about this. He was the Master of the ship. He
4 said, you got to go there. They have to have repairs
5 aboard and the welding business there wouldn't go in
6 the boat at Longue Pointe to get on her. She has to go
7 alongside. We have no other place in the Harbour of
8 Montreal so go to 106. I told the Captain all about it.
9 Again he said I don't want to go there. I put my hand
10 on his shoulder, I said, Captain, leave it to me, don't
11 say a word, leave it to me. I will dock your ship
12 alongside safely.

13 The Captain went down below. The
14 Mate followed him down below and I was alone up on
15 the bridge with the man at the wheel and I docked the
16 ship and after she was fast I went down below to the
17 Captain. He was very happy. He wasn't crying. He
18 treated me good. That is what I did. This is 106.
19 Maybe she was just a bit below the corner of the quay.
20 I didn't have much room. My ship was off the quay and
21 I had to put my line on the next dock, the Sun Oil Dock
22 inside with maybe a little bit of my headlines, and that
23 is what I did. When you say to me, deep-sea Captain
24 of a ship and all this, if I had the same tickets I
25 would have gone down below with the Captain too. The
26 WORLD CHAMPION -- that is about a couple of weeks ago.
27 You can ask the Harbour Master. He knows this. It
28 is not like the EMPRESS with so many people on the
29 bridge.

30 Q. One might say the situation varies



1 ENGLISH

2 with the ships, I suppose.

3 A. These things happen.

4 MR. JACQUES: I have three questions.

5
6 CROSS-EXAMINATION BY MR. JACQUES:

7 Q. Did you go to sea during the last
8 War?

9 A. Oh, if I went to sea, no. We had
10 enough of the convoy in the river here, all blacked
11 out.

12 Q. Would it be fair to say that the
13 smaller the ship the easier your job?

14 A. Our job is never easy.

15 Q. It is never easy?

16 A. No matter what kind of ship you are on
17 you have to look after your ship.

18 Q. I realize that, but comparing say a
19 smaller ship, say piloting a small Clark vessel down
20 river, normally wouldn't be as difficult as piloting
21 a large EMPRESS boat?

22 A. Well, it is not the same kind of work.
23 The smaller ship is not so steady, always bows swing.
24 I don't like that. There are some other kinds of
25 difficulties, different from others, but they are not
26 any better.

27 Q. They are not any better?

28 A. Than the other type. You have to
29 look after the ship just the same and you never get any
30 steady on these ship, not the NEWFOUNDLANDER, so it



1 ENGLISH

2 is a kind of difficulty.

3 Q. Regardless of the type of the ship
4 there is no difference in the job?

5 A. There is a difference.

6 Q. What difference?

7 A. There is a difference.

8 Q. What difference?

9 A. Well, I told you on the big ship what I
10 do. I have got to be very careful with a heavy ship,
11 deep draught, faster ship, I have to keep away from
12 centre to meet other ships. I just explained it to you.
13 With a small ship you get something else, it is another
14 kind of difficulty.

15 Q. What difficulties?

16 A. I just spoke about them, not steady,
17 they swing around all the time.

18 Q. Is that peculiar...

19 A. It is a difficulty.

20 Q. Is it peculiar to small ships?

21 A. It is the same kind of difficulty.
22 I find the difficulty.

23 Q. Just a minute, please, is that steering,
24 that difficulty in keeping a vessel steady peculiar
25 to small ships?

26 ----



1 ENGLISH

2 A. That is the same thing.

3 Q. Is that for the small ships?

4 A. Most of the time, yes.

5 Q. Usually small ships are better steering
6 ships?

7 A. Some of them, yes. They never get --
8 you never get steady that you are having on a big
9 ship with a small ship.

10 Q. Would that small ship have two
11 screws usually or one screw?

12 A. Well we may have --

13 Q. Would they have both?

14 A. One screw. Some of them are two
15 screws. I don't know too much about the screws of
16 the small ship.

17 Q. Would a small ship, single screw steer
18 better than a small ship twin screw?

19 A. Maybe.

20 Q. Maybe. Have you ever had occasion to
21 use a stern anchor?

22 A. Yes. Not very often.

23 Q. How long have you been a pilot?

24 A. I have been a pilot since 1934.

25 Q. And for how many years would you say
26 that ships fitted with stern anchors have been coming
27 up the St. Lawrence?

28 A. Well you have those C.P.R. ships, for
29 instance, we have the DUCHESS. They had the stern anchor
30 but not the MELITA and the MINNEDOSA. I was an apprentice



1 ENGLISH

2 then. They had no stern anchor but the DUCHESS, when
3 they came out, they had the stern anchor.

4 Q. This was in 1929?

5 A. Around 1929.

6 Q. Were they the only ships to have a
7 stern anchor?

8 A. I think so. Not many had stern
9 anchors in those years.

10 Q. Would you say that stern anchors are
11 found more often now than they were?

12 A. Yes, I can say with the big ship much
13 more stern anchors.

14 Q. When did you first have occasion to
15 use a stern anchor?

16 A. When I was an apprentice on the DUCHESS
17 OF RICHMOND.

18 Q. As a pilot?'

19 A. In 1959 I think that was the first/
20 time and the last time was in March with the MAPLE BRANCH
21 at Contre Coeur.

22 Q. Is that MAPLE BRANCH a big ship? How
23 long would she be?

24 A. I don't know. She may be around 400
25 feet long.

26 Q. And you used a stern anchor?

27 A. A. I have, yes.

28 Q. And she dragged her anchor?

29 A. Yes, she dragged.

30 Q. Where were you anchored then?



1 ENGLISH

2 A. At Contre-Coeur just above the dock
3 there at Contre-Coeur.

4 Q. What is the nature of the bottom?

5 A. Clay.

6 Q. Is clay a good holding ground?

7 A. No. It slides.

8 Q. Would sand be a good holding ground?

9 A. Sand is better, yes.

10 Q. In the narrowest part of the channel
11 what is the nature of the holding ground?

12 A. Above Three Rivers it's sand and clay.

13 Q. Above Three Rivers?

14 A. Yes, and you get boulders because, you
15 see, some rocks at Varennes and below Varennes it is
16 not a good holding ground. Your ship won't hold at
17 Varennes.

18 Q. Have you, in the course of your years
19 as an apprentice and pilot, seen very many ships anchored
20 on a stern anchor?

21 A. No, not many.

22 Q. You have talked about sheering which
23 your vessel would take. Have you yourself had experience
24 of sheering across the channel on some ships?

25 A. Very often.

26 Q. You did?

27 A. Very often.

28 Q. These red arrows which you have drawn
29 on the various exhibits, 446 to 451 inclusive, tell me
30 do they indicate the direction of the current or the set



1 ENGLISH

2 of your ship?

3 A. We have both.

4 Q. Let's take, as an example, Exhibit 448
5 and the arrow which you drew in the vicinity of Ile
6 St Ours. There are four arrows zigzagging across the
7 channel. Would these arrows indicate the direction of
8 the current or the set of your ship?

9 A. The direction of the current.

10 Q. So the current would, as a matter of
11 fact, zigzag across the river in that area?

12 A. That is right.

13 Q. The current itself?

14 A. Yes, sure.

15 Q. The current would flow first to the
16 left and then to the right and then back at 90 degrees
17 to the left and then back at 90 degrees to the right?

18 A. Yes, sure.

19 Q. That is the current, not the set of your
20 ship?

21 A. That is the current.

22 THE CHAIRMAN: Are those all the
23 questions? Are there any other questions for Mr.
24 Arcand?

25 MR. LALONDE: My lord, I would just
26 like the witness to testify as to a couple of paragraphs
27 in the brief of the Federation and that is all there
28 is.

29 THE CHAIRMAN: We will do that this
30 afternoon so we will adjourn until 2:30 this afternoon.



MR/RPS 1 English

2

3 ---ON RESUMING AT 2:30 P.M.

4

5

6 FURTHER DIRECT EXAMINATION BY MR. LALONDE:

7

8 Q. Captain Arcand I refer you to
9 paragraphs 87 to 99 inclusive of the brief of the
10 Federation of the St. Lawrence River Pilots to this
11 Commission which contains a description, a physical
12 description of the Montreal District. Have you had
13 the opportunity of taking a look at these paragraphs?

14 A. Yes, I had a small look at them,
15 yes.

16 Q. And would you tell this Commission
17 whether the information contained in these paragraphs
18 is accurate and corresponds to the actual situation
19 in your District?

20 A. Yes. Do you want me to read them?

21 Q. No, I only want to know whether
22 this contains an accurate description of the District?

23 A. Yes, I agree with that.

24 Q. My friend, Mr. Mason, draws my
25 attention to paragraph 90 which begins by a statement
26 to the effect that the navigable section is a distance
27 of about 50 miles comprised of a channel less than
28 550 feet wide. Is it true it is less than 550 or
29 is it exactly 550 feet for a distance of about 50 miles?

30 A. I didn't make any measure but in
straight course that is what we have, 550 feet. In the



1 English

2 curve, well, it's a bit wider.

3 Q. Would it be more accurate to say
4 that for about 50 miles the channel is about 550 feet
5 wide?

6 A. Yes, I should think so.

7 Q. Minimum?

8 A. Yes.

9 Q. A minimum of 550 feet?

10 A. Yes, 550 feet, yes.

11 Q. Would the Commission kindly make
12 the appropriate correction to paragraph 90. I have
13 here a small bag which has been brought before this
14 Commission. I wonder whether this is the thing to
15 which you referred this morning as weighing 75 pounds.
16 It seems to contain a kind of a radio set. Is this
17 the instrument which you use in your work?

18 A. This is the one, yes, except we
19 have a belt to go around, a couple of belts. This is
20 a bit heavier. Anyway, this is the one, yes.

21 Q. I take it it may seem to you as
22 weighing 75 pounds when you go up a ladder ?

23 A. Especially after being up all night.
24 As this gentleman here said, it weighs over 75 pounds.

25 THE CHAIRMAN: Do you know exactly how
26 much the whole equipment weighs?

27 THE WITNESS: Exactly, no, I don't know.

28 MR. LALONDE: I am informed, my lord,
29 that the instrument itself would weigh 13-1/2 pounds
30 and there is the additional weight of the bag and the



1 English

2 various things.

3 THE CHAIRMAN: You mean the instrument
4 with the bag included?

5 MR. LALONDE: I am informed by Captain
6 Seeley that it is so, but I don't know. I haven't
7 weighed the instrument. It certainly weighs at least
8 13 pounds I would say.

9 THE CHAIRMAN: 13 pounds you have to
10 carry around all the time?

11 THE WITNESS: Yes.

12 Q. And when you go up aboard a ship,
13 you would carry I presume some other things than this
14 bag?

15 A. Sure. I have my overcoat on my arm.
16 Have my bag and have this thing here. I have plenty
17 to carry.

18 Q. Thank you. Has the Commission any
19 questions to ask Captain Arcand?

20 THE CHAIRMAN: Is there anybody else that
21 has any questions to put to Mr. Arcand?

22 Thank you very much. So now we understand
23 that next Saturday we are going to go down the St.
24 Lawrence River so we are going to see whether everything
25 is right. It will be checked whether everything is
26 right. It will be checked by ourselves from Montreal
27 to Quebec. I hope that we have a transcript by then
28 so that we can follow it step by step.
29
30



English

CAPTAIN HENRY BERNIER, Sworn

THE SECRETARY: Would you please give your full name, age and occupation?

THE WITNESS: Henry Bernier, Pilot,
District of Quebec to Montreal.

DIRECT EXAMINATION BY MR. LALONDE:

Q. Captain Bernier would you state to this Commission when you started piloting in the Montreal District?

A. In 1948.

Q. Previous to 1948 what was your experience at sea?

A. I was 21 years at sea around the coast or on ships before becoming a pilot.

Q. Before we go any further, what is your age captain?

A. 53 years of age.

Q. Have you been on board the deep-sea ships or only the coasting ships?

A. I have been on both.

Q. Could you give us what certificates you hold?

A. I hold a mate's coasting certificate, master inland certificate and master home trade certificate.

Q. Could you summarily tell the



1 English

2 Commission what experience you had at sea?

3 A. Well I have been at sea as a seaman
4 for four years.

5 Q. When did you start?

6 A. At sea proper I started in 1928.
7 I have been on the Lakes before for two seasons.

8 Q. As a seaman?

9 A. As a seaman and as a wheelsman.

10 Q. And after those four years as
11 seaman at sea what did you do?

12 A. I went as a mate for the Donnocona
13 Paper Company.

14 Q. Where did you travel for this
15 company?

16 A. We travelled between Donnocona and
17 New York via Lake Ontario and Oswego and Erie Canal
18 and Hudson River and that was for one year, and I
19 was also one year master on the Donnocona No. 2 running
20 between Sauleaux Moutons which is located on the north
21 shore of the St. Lawrence Estuary about opposite Bic
22 Island. We were hauling pulpwood between there and
23 Donnocona. In one particular season we made 42 trips.

24 Q. And after that?

25 A. After that the company got new
26 smaller vessels to run to New York through the
27 Richelieu River and Chambly Canal and I was four
28 years master of the NEWSCARRIER. I left the company
29 in 1939 and I was called as an apprentice pilot.

30 Q. Did you remain an apprentice pilot



1 English

2 between 1939 and 1948?

3 A. I have sir.

4 Q. And did you pilot during that time
5 as an apprentice in the District?

6 A. I was on the River continuously for
7 four consecutive years and the remaining five years
8 I was master of different ships on the coast and down
9 around the West Indies and on the Lakes.

10 Q. And on the Lakes?

11 A. Yes sir.

12 Q. And you said that you became a pilot
13 in 1948. Have you been a special pilot during that
14 time?

15 A. I have, yes sir.

16 Q. For which company were you?

17 A. For Shipping Limited.

18 Q. At the present time are you a class
19 A pilot?

20 A. I am yes.

21 Q. And until the division of the
22 District you were piloting from Quebec to Montreal
23 and vice-versa?

24 A. Right sir.

25 Q. At the present time which section
26 are you in?

27 A. I am in the Quebec-Three Rivers
28 section.

29 Q. I would like you Captain to proceed
30 with a ship from Three Rivers down to Quebec. Let us



1 English

2 say you have changed over with Captain Arcand on board
3 an Empress. Have you ever piloted an Empress?

4 A. I have, often.

5 Q. And take that ship down from Three
6 Rivers. In the meantime, you might explain to the
7 Commission the situation with regards to Three Rivers
8 Harbour where, I understand, that the Empress do not
9 stop too often.

10 A. When you mentioned that Empress
11 ships do not often stop at Three Rivers, I know of
12 one instance one spring, in the spring of the year
13 two years ago where I was piloting a Cunarder,
14 PANAMANIAN, or one of them, I don't recall exactly
15 and due to ice conditions, arrangements had been
16 made on leaving Quebec to dock at Three Rivers for
17 further orders but as we proceeded up the River we
18 received word that the conditions had improved
19 considerably at Lake St. Peter and that the ship was
20 to carry on, so we never made the stop. The orders
21 were on leaving Quebec to dock at section 9 and 10
22 at Three Rivers on arrival.

23 Q. Would you indicate in blue on chart
24 Exhibit 446, No. 1336 the main areas in Three Rivers
25 Harbour where you are called upon to take ships?

26 A. I presume you mean to dock ships?

27 Q. Yes?

28 A. Well we go to any of the berths that
29 run parallel to the River into the basin where the
30 grain loading berth is, and then to the pulpwood boom



1 English

2 which is opposite the -- it's got St. Lawrence Paper
3 Mills but it's actually Dom Tar.

4 Q. Would you circle these areas where
5 you take ships?

6 A. The whole harbour. We go to many
7 of the berths along the whole waterfront and basin.

8 Q. What kind of ships do you take to
9 Three Rivers Harbour? Could you take almost any kind
10 of ship there?

11 A. All kinds of ships but you are
12 limited on draught at certain of the berths.

13 Q. Which berths are you limited at?

14 A. At section 1 or the C.I.P. wharf
15 which is not part of the Three Rivers Harbour. I was
16 called to take a tanker there lately, an Esso tanker,
17 the ESSO SAO PAULO and she came in Quebec drawing
18 thirty feet-six and since there is only 26 feet of
19 water at that berth, I had orders upon leaving Quebec
20 to proceed to Batiscan anchorage to light her, which
21 we did effectively. We reached anchor in Batiscan
22 anchorage about 36 to 40 hours would be exact. Out
23 of that time we waited about close to 24 hours for
24 the lighter to come along.

25 Q. Would you indicate the difficulties
26 which there might be in Three Rivers Harbour as
27 to manoeuvring the ships and docking ships and undocking
28 ships. We have been given evidence this morning, I
29 understand, that there are no tugs in Three Rivers.
30 Is that the case?



English

A. There are no tugs to assist in Three Rivers for any of the berths. No tugs in Three Rivers. Under normal conditions most of the berths are quite easily made except for the grain loading berth in the basin with big ships which extend the berth by sometimes one hundred feet.

Q. Do you mean they are sometimes one hundred feet longer than the berth itself?

A. That is correct. The grain loading berth at Three Rivers is 550 feet long and we have been going in there with ships exceeding 600 feet.

Q. Would you indicate in blue with the letter A the berth where you have that grain loading taking place in Three Rivers?

A. That is also called section 16 in Three Rivers.

Q. And it's on one side of the Basin, as far as I can see, is that it?

A. On the southwest side. If we had to go on the northeast side of the slip, you would have 50 feet less of dock. The berth is 50 feet shorter. in other words.

Q. Does this create any particular difficulties?

A. It certainly does under certain conditions. At any time with ships like that it is a bit difficult to get ships in there safely but we have been to section 13, there is no ship at section 13, the really big ones we have been making that berth



1 English

2 and swing the ship around the corner with the assist-
3 ance of boatmen which we use to take our lines from
4 ship to shore. I was in there once last year with one
5 of those big German ships where that section 13 was
6 occupied but fortunately I had very good weather
7 conditions and the benefit of high water so we
8 dropped an anchor and we eased her in there very
9 nicely without any trouble.

10 Q. Do you have tide in Three Rivers
11 Harbour?

12 A. We have, especially in the fall of
13 the year when the river level in the upper reaches is
14 low and on spring tide conditions the tide will turn
15 at Three Rivers.

16 Q. How big can it be?

17 A. That will vary greatly from the height
18 of the tide, weather conditions and river level. It
19 can be as strong as two knots if everything is in
20 favour, like strong easterly winds and 19-foot tide
21 and low river stage.

22 Q. I understand from Three Rivers down
23 to Quebec you will have to deal with tide all the time.
24 Is that the case?

25 A. Constantly.

26 Q. Would you indicate to the Commission
27 the currents, the prevailing currents in the Three
28 Rivers Harbour if there are any?

29 A. There are currents which most of the
30 time do not run parallel to the centre line of the



1 English

2 channel and which vary with the stage of the tide.
3 On ebb tide on entering the south channel at Three
4 Rivers you get this strong northerly set for maybe
5 two ship lengths and as you turn, you get the set
6 just the opposite way.

7 Q. And further down, would you proceed
8 down with your ship? What do you do? What will be
9 the difficulties which you will meet or the problems
10 which you will have to face in guiding your ship
11 down?

12 A. Once you have entered the south
13 channel at Three Rivers -- I am still on an Empress
14 ship am I?

15 Q. Yes?

16 A. Once you have entered that cut
17 or south channel in Three Rivers Harbour on top of
18 having to allow for those sets, if you happen to
19 meet other traffic coming the other way, you have
20 to get your ship in your own path or off the centre or
21 in the right half of the channel which means that
22 you will be passing close to shallow spots just
23 outside of the channel. By doing so, as you pass
24 those shallow spots, the ship will suck that bank
25 and have a strong tendency to go across the channel
26 in front of the oncoming traffic. You must allow
27 for that beforehand. If you don't allow for it
28 until it becomes noticeable then with an Empress
29 ship you would be too late and you would have to
30 manoeuvre the engine, use the engine to straighten her



1 English

2 out.

3 Well once you have passed that, you have
4 got a pretty good channel and the current runs
5 about parallel to the centre line for maybe three
6 or four ship lengths until you get abreast of the
7 main outlet of the St. Morris River where you get a
8 strong set on to buoy 49C. This set varies during
9 the season, depending on the flow of the St. Morris
10 River but also the flow of the river up above, of
11 the St. Lawrence, up above Three Rivers so you have
12 to keep these leading lights in line. You are
13 always proceeding at reduced speed because you are
14 still within the Harbour limits. You have to allow
15 five and sometimes up to ten degrees for set on the
16 heading, on the ship's heading and once you pass that,
17 just below buoy 49C, you get a set the other way,
18 to the northeast. The current comes out of the St.
19 Morris River seems to hit the shoal patch here
20 (indicating) and curves and sets the other way.

21 Q. You indicated in red arrow on the
22 chart.

23 A. You must allow for that beforehand
24 also and then you carry on heading to what is known
25 as the Lottinville Range.

26
27 --

28
29
30 --



/PB/RPS 1

English

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A. Then you alter course to meet

Cap Madeleine, this is another place where you do
get a strong set to the left and the same as mentioned
up above, if you are meeting traffic, especially with
an Empress ship as you notice on this chart you have
a four-foot spot.

Q. Which you circle in red on chart 446?

A. Yes, which is right next to the bank
of the channel. If you are meeting oncoming traffic
with an Empress ship you have to allow for the set
right here, as I said, right along here (indicating).

Q. You indicate it in red?

A. Is always to the northeast, and
this is one particular case where those ships will
suck the bank -- do you understand what I mean?

Q. Squatting effect?

A. No, not exactly. The ship has
a tendency, passing close to the starboard bank, has
a very strong tendency to go to the port bank, which
is very bad if you are meeting traffic. You must
allow for that before this set becomes noticeable
otherwise as I said before the rudder alone wouldn't
be sufficient to counteract that effect and you would
have to manoeuvre the engine to straighten up your
ship. The same so with loaded lakers. If you pass
close to Bateaux aux Veaux -- you will have the same
effect. I am now proceeding down by buoy 43C with
Cap Madeleine wharf light as a line as far
as buoy 41C. Then I began to alter course to go on the



1 English

2 next leading lights.

3 Q. Yes?

4 A. This is one place here you will
5 notice by looking at the chart where the leading
6 lights are not parallel to the centre line of the
7 channel. They indicate a line which runs diagonal
8 to the main channel.

9 Q. Yes?

10 A. So at night you must not get on
11 those leading lights too soon otherwise you will crowd
12 oncoming traffic.

13 Q. How would that be? What would happen?

14 A. You would be in your wrong half of
15 the channel if you went on these leading lights too
16 soon. The bank is indicated by buoys which if they
17 are lit does help. They are aids to navigation and
18 we can depend on them up to a certain extent after
19 we have checked if the positions are correct. We
20 attempt to curve sooner in order to keep in your half
21 of the channel. The same would apply at the lower
22 end of this course, if you were upbound. If you
23 turn too soon and come on the leading lights when
24 you are opposite buoy 330 then you would be in the
25 way of oncoming traffic.

26 Q. Is there any particular reason why
27 these leading lights are set in the way they are?

28 A. Well, there has been dredging done
29 to widen the channel and straightening the channel
30 and the leading lights' position have not yet been changed



1 English

2 to indicate the exact centre line like it should be.

3 Q. Would you proceed further down?

4 A. As I got down to buoy 33C, then
5 I will start making a curve to get on the ~~Be~~
6 Becancour Range. This is where you get a very strong
7 set towards the south bank and towards the 13-foot
8 spot which lies just outside of the bank.

9 Q. Which is circled.

10 A. On this particular course in about
11 two miles you get two different sets. You get a
12 strong set towards the south bank as you come on the
13 range. As you get halfway down between buoy 30C and
14 23C, as we get halfway down between buoy 30C and 33C.

15 Q. 23C?

16 A. 23C, we get a set the other way,
17 toward the deep water on the north side.

18 Q. Which you indicate in red on this
19 chart.

20 A. And as we get abeam of buoy 23C
21 we get it the other way again, as already indicated
22 on this chart, but at a sharper angle, I would say
23 than indicated on the chart.

24 Q. Which you have indicated yourself
25 in red.

26 A. Upbound with an Empress ship this
27 course and the making of this Becancour curve
28 has always been considered a bad place when the river
29 level is low and when the ships are deeply loaded.

30 COMMISSIONER SMITH: Could I interrupt a



1 English

2 moment?

3 MR. LALONDE: Yes, Commissioner Smith.

4 COMMISSIONER SMITH: I take it your
5 explanations are applying to normal conditions?

6 THE WITNESS: Yes.

7 COMMISSIONER SMITH: What about abnormal
8 condition, slop ice or strong current or other elements,
9 would your same explanations apply?

10 THE WITNESS: Well, adverse conditions
11 would make conditions still worse. If you have ice
12 conditions and strong wind conditions it would make
13 things still worse because, as you know, those
14 Empress ships are high ships and the wind has a
15 certain effect on their steerage, steering.

16 COMMISSIONER SMITH: It would just
17 aggravate the whole situation?

18 THE WITNESS: Absolutely, and ice conditions,
19 I have come up -- I don't believe I have had any
20 of the Empress ships under heavy ice conditions, but
21 I have had a Homeric, and those ships, they go through
22 some pretty heavy ice because you have the weight
23 and the power, but as you know in the ice you have
24 to be very careful because if you lose steerage with
25 them -- I don't know if I am explaining this all right?

26 COMMISSIONER SMITH: Yes.

27 THE WITNESS: As you go in the ice we
28 have to keep a certain speed on the ship in order to
29 make sure to cut through and not get stuck in the
30 middle of a big patch of ice, and then drift ashore with



1 English

2 it, as the currents don't bring that ice down the
3 centre line of the channel -- drift one side first
4 and then the other side. If you get stuck in the
5 centre of one of these big pieces and can't get out
6 of it the first thing you know you are drifting
7 ashore with it, so you must keep a certain speed
8 to make sure that you will be able to cut through
9 and get into clear water up above it.

10 COMMISSIONER SMITH: Yes.

11 THE WITNESS: Which we have to take those
12 chances. You must be right on your toes. Sometimes
13 these ships will lose steerage, even a single screw
14 ships have had that experience in attempting to cut
15 through heavy ice.

16 COMMISSIONER SMITH: Thank you.

17 MR. LALONDE: Q. Would you proceed further
18 down, Captain, unless you have further explanations
19 to give with respect to those three different sets?

20 A. I think I have explained as far
21 as the current and set go. I have marked down with
22 red pencil here.

23 Q. What do you meet further down?

24 A. This is one place here, in making
25 Cap Madeleine curve, for the whole duration of the
26 curve, the currents never run parallel to the indicated
27 centre line on this chart. It always charges to the
28 northeast until you are down to buoy 39C where it
29 becomes, more or less, parallel to the centre line.

30 Q. Yes. Let us say you have reached



1 English

2 buoy 23C, what do you meet next? What do you have to
3 look for next?

4 A. Well, once we pass, I would say a
5 couple of hundred yards or three hundred yards past
6 buoy 23C the current becomes what we call fair, or,
7 more or less, parallel to the centre line of the channel
8 as far as Bigot Point. The next course, from Bigot
9 to Champlain curve we used to have leading lights
10 for that heading. They dredged the channel, made it
11 wider, straightened it and they abandoned the leading
12 lights which were supposed to be reconstructed at a
13 later date, but which hasn't been done yet. We
14 still have the old front range light, by which I mean
15 the old front light of the old range, the old leading
16 light -- that has been left in place on the pilots'
17 request, I believe. There is no back light, so you
18 must depend on that green light and the buoys, if
19 they are there, and if they are lit at night. In
20 springtime we have a winter spar buoy at Bigot Point
21 that helps us in making the turn at Bigot Point if
22 it is in position.

23 On top of that we have all kinds of
24 landmarks which we use.

25 Q. Would leading lights be useful there?

26 A. Well, they wouldn't hurt. It would
27 certainly be a help especially on a dark night in
28 dense traffic and with the lighted buoys extinguished,
29 in order to get into your own half of the channel.
30 If you don't have any buoys the leading lights



1 English

2 particularly help more than just one light.

3 Q. Now, would you tell the Commission
4 the point we have reached?

5 A. We have reached by now buoy 19C where
6 we have got a slight set towards the shoal patch just
7 outside the channel towards the east, I should say.

8 Q. Yes?

9 A. Just outside the channel. From 19C
10 I will start altering course for making Champlain curve.

11 Q. Yes?

12 A. By the time we were down there with
13 an Empress ship we are going along 90 revs or half
14 speed which is sixteen knots and then making that point
15 the ship is -- we keep the ship swinging all the time,
16 in other words we never stop ships from swinging
17 slightly until we get on Champlain Range. This is
18 another peculiarity in this stretch again as you will
19 note on this chart, these lines haven't been changed
20 yet. They have dredged the south side of the channel
21 to make it wider which means that the lights, leading
22 lights don't indicate the centre line anymore. You
23 must allow for that.

24 Q. I see.

25 A. On upbound, if you have come up
26 and got the leading lights in line put them in their
27 own half of the channel. The downbound ship has
28 to open up the lights in order to meet.

29 Q. Now, we will proceed to Exhibit 445,
30 No. 1335. You are at Champlain curve.



1 English

2 A. I am now down to Poullier Turcotte.

3 Q. What about Poullier Turcotte?

4 A. Well, Poullier Turcotte is another
5 shallow patch just outside the channel, the same as
6 the next buoy which is known as Poullier Grandmont.
7 With good visibility and the buoys in place you can
8 easier make this Pointe Citrouille.

9 Q. You have reached Pointe Citrouille?

10 A. Yes.

11 Q. Do you have any particular difficulties
12 in this area?

13 A. No, the channel is naturally wider
14 there and the current doesn't have any particular effect
15 on the ship except in dirty weather or at night you
16 have no leading lights for that course. You have one
17 white buoy 139Q at the top end of the course and the
18 next lighted marker is buoy 132Q at the bottom end
19 of the course.

20 Q. Yes.

21 A. In between that you have two sets
22 of spar buoys which indicate the bank which you can't
23 see at night.

24 Q. Do you have ships at anchor at
25 Pointe Citrouille at night?

26 A. Occasionally, but Pointe Citrouille,
27 I would say is more or less an emergency anchorage
28 where you would anchor if you got word that the
29 visibility downriver was bad and the Batiscan anchorage
30 is already congested, then we would use Pointe Citrouille



1 English

2 anchorage.

3 Q. I notice it is a pretty sharp curve.
4 Supposing you are coming at night and there is a ship
5 anchored somewhere downbound on Pointe Citrouille,
6 how do you know in advance?

7 A. If I was to anchor in Pointe Citrouille
8 anchorage I would already be slowed down. I wouldn't . . .

9 Q. Suppose you are a ship coming down
10 and there is another ship anchored, would you know in
11 advance that the ship is anchored?

12 A. No, you can't see until you are
13 pretty well down. You can't see until you get pretty
14 well within a mile and a half from that anchored
15 ship, depending on his position. If he was anchored
16 exactly abeam of the point then he would be visible
17 from Champlain. If he is anchored say where that
18 little anchor is on the chart he wouldn't be visible
19 until I got down to near buoy 2C. I would have to
20 keep my eyes open for oncoming traffic and I would
21 try and check his position in the channel as accurate
22 as I could in order to know on which side to pass him.

23 Q. Yes?

24 A. If he was in the south half of the
25 channel or close to the bank well, both ships, myself
26 and the oncoming ship would have to pass to the north
27 of him. If he was in the centre we would each go
28 on the other side.

29 Q. Yes?

30 A. If he was on the north side it would



1 English
2 be the opposite.

3 Q. Now, you have passed Pointe Citrouille
4 and your ship is proceeding down. What have you to
5 watch for next, particularly?

6 A. I am entering from the buoy 132Q,
7 I am entering the narrowest channel between Quebec,
8 between Three Rivers and Quebec -- between Montreal
9 and Quebec, I should say.

10 Q. How wide?

11 A. The channel is very narrow there.
12 It is supposed to be 550 feet but whether they have
13 the buoys right on the bank, I don't know, but it
14 certainly isn't that wide. From buoy 132Q all the
15 way down to buoy 103Q, all that stretch which is about
16 4 to 5 miles except for opposite Bastican anchorage
17 you are in a very narrow channel for big ships. From
18 buoy 132Q you get a set towards the east through there
19 which we must allow for, and as far as near buoy 129Q
20 where the current becomes fair again, as we used before,
21 or parallel to the centre line unless I would be
22 entering the Bastican anchorage where you have no
23 room there, especially if you were in traffic. There is
24 one stretch which I would like to mention here and
25 that is between spar buoy 128Q and 129Q which is
26 a very bad place to meet with big deep-loaded ships.
27 Whether the channel depth is shallow there or whether
28 it is due to the shallow water outside the channel
29 I don't know, but I know it is one particular spot
30 where I don't like to meet other big ships, especially



1 English

2 at night. In daytime up to a point a ship can plainly
3 see the red spar buoy 128Q and get on this side easily.
4 At night that buoy is hard to pick up and up to a point
5 the ship is more or less using the leading lights alone
6 and he might not get over as far as he should be.

7 All right?

8 Q. Yes, proceed.

9 A. Proceeding downriver off Bastican
10 anchorage by buoy 123Q I will start altering course
11 for making Bastican curve and in this case the same
12 as in Champlain curve or Pointe Citrouille curve I
13 will start my ship turning slightly, that is an
14 Empress ship going along 16 knots and I will never
15 stop her. I will check her if she is swinging too
16 fast but I will keep her coming gradually all the time
17 until the Bastican range lights come in line. As
18 we come on these leading lights we always experience
19 by buoy 115Q, we inevitably experience a strong set
20 towards the left bank of the channel at that particular
21 position. As you see on this chart our channel
22 width is supposed to be a minimum width of 550 feet,
23 but my estimation is not that wide by quite a bit.

24 Q. Yes?

25 A. This is another bad place to meet
26 traffic, other traffic at night, especially big ships
27 because you only have your leading lights, one black
28 buoy 115Q at the top of the course and one red buoy
29 at the bottom of the course, 110Q, so you must
30 strain your eyes, use your binoculars and try to pick



1 English

2 out the unlighted buoys to make sure that you are
3 in your own side of the channel for the oncoming
4 traffic otherwise if you use leading lights alone,
5 those two lights being so close to one another don't
6 work so good... You can be right on top.
7 If you are going down you can be right on top of
8 the line of the black buoys and yet your leading lights
9 would only be opened up just a shade. In my case
10 what I do is get my binoculars out and do the best
11 I can to pick up these unlighted buoys and try to
12 get as close to that as I can and slow down the
13 ship, an Empress ship, I wouldn't meet another ship,
14 especially in that stretch at half-speed or 16 knots.

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MR/RPS

1 English

2 I would have slowed beforehand in order
3 to keep good control of my ship. If I want to pass,
4 I know from experience that I would lose steerageway
5 and probably sheer across the other ship's bow.

6 Q. Would you proceed further down?
7 You are reaching -- ?

8 A. Buoy 119Q. I have marked the current
9 here opposite buoy 115Q as setting quite strong
10 towards the north lane. I forgot to mention that
11 it can vary with the tide, and the stage of the tide,
12 vary with the height of the tide and the stage of
13 the tide because if it was flood tide, spring tide
14 the current would be running up at that particular
15 spot but I have marked this as if I was going down
16 with the tide, say half tide, half hour. I guess
17 this is all I have to say about --- I would like to
18 mention that this is one particular spot where it
19 is very bad here for lakers making this Batiscan
20 Traverse. As you see the channel curves here, what
21 we call Batiscan curve I should say instead of trav-
22 erse, the current has a tendency to continue straight
23 instead of curving as the centre line of the ship
24 channel does. That has a tendency to set your ship
25 towards the north lane going down, one of those
26 big lakers, 730-footers a man must allow for that
27 beforehand and must head his ship to pass very close
28 to buoy 117Q and 115Q.

29 If you wait too long to allow for that
30 set, when it does become noticeable you are too late.



1 English

2 You have got to alter your ship 10 or 15 degrees
3 to bring her up again towards the south bank and the
4 ship, being 730 feet long, you would practically
5 be blocking the channel for the upbound ship, especially
6 if the upbound ship is a deep draught ship because
7 you cannot get outside the channel at all so you
8 have two-27 foot spots. You must keep the lights in
9 line. That is all you can do. You can't open them
10 up.

11 Once you are past buoy 115Q, you just
12 can't open up those leading lights. You just have
13 to keep them in line and the downbound ship is the
14 ship that should allow for that set beforehand. If
15 you take a 730-foot ship, you alter course 10 degrees
16 in that short stretch, means that sitting on the bow
17 looking at the leading lights you see that the lights
18 are in line but if you went to the after-end of that
19 ship, you wouldn't notice that the stern of the ship
20 would be well off-centre and in the way of oncoming
21 traffic, practically blocking the channel. That is
22 one part. I have had one experience coming up with
23 a deep loaded tanker where there was a very close
24 call coming up at night and this laker didn't allow
25 for that set soon enough and I held down, held down,
26 blew him one blast. I couldn't get over any further.
27 As soon as I was clear of this turn I had to order the
28 wheel hard to port in order to get my ship back in
29 the channel because if this downbound ship feels this
30 set more so the upbound ship because you are stemming



1 English

2 it and have it on the bow. You are going against it.

3 Q. Would you proceed from buoy 110Q?
4 What do you meet next?

5 A. From there, with the full force of
6 the ebb, from there I should say down to Cape Charles,
7 which is about four miles down, further down, the
8 current runs between four and five knots on spring
9 tide and almost always the current never runs parallel
10 to the centre line of the channel. Either sets you
11 one way or the other. Sometimes only a couple of
12 ship lengths, you would allow for a set and then just
13 as you get your leading lights in line, you are
14 finding out that you are getting set the opposite
15 way again which means that you would be see-sawing.

16 Q. Would you make a see-sawing mark
17 on this part which you have indicated?

18 A. This is the way it is set, and
19 quite strong, depending on the tide (indicating).

20 Q. We understand it is very approximate.
21 Just indicate ---

22 A. I am in the wrong spot. I started
23 from the wrong buoy.

24 Q. I will cross it out in green. Which
25 buoy are you starting from?

26 A. I am starting from buoy 110Q, set
27 is towards the south bank a few hundred yards, towards
28 the buoy 108Q for another few hundred yards, fair
29 for a little bit, and then strongly on to buoy 105Q
30 as far as buoy 99Q where the current would charge you



1 English.

2 towards the other bank. As you see, the channel
3 curves right here and the flow of the water doesn't
4 follow the centre line. This goes where the water
5 is deepest. The flow of the water may hit a shoal
6 patch, curves and goes towards the deep water on the
7 opposite bank and then hit another shoal patch and
8 curve back. That is always with ebbtide.

9 With flood tide you do experience various
10 sets in that area but they are never so bad because
11 the tide never runs up as strong as it runs down.
12 As I mentioned before, you can have tide running four
13 to five knots, depending on the height of the tide
14 and the river level. This is one area, from buoy 110Q
15 to Grondines where you can't go outside the channel
16 at all, the water being very shallow and hard shale
17 rock bottom. One place where you cannot anchor.

18 Q. Where you cannot?

19 A. You cannot anchor under any circum-
20 stances whether with a stern anchor or a bower. It
21 wouldn't hold if you did attempt to anchor in that
22 area. You would only take a chance of drifting against
23 the bank. With shale rock bottom the anchor won't
24 get ahold.

25 Q. Would you indicate in a large circle
26 this area where you cannot anchor?

27 A. The Batiscan anchorage but I would
28 like to mention that from Batiscan anchorage to Cap
29 Levrard, there are patches where the bottom is soft
30 and where the anchor will hold.



1 English

2 Q. You have reached almost the point
3 called Cap a la Roche?

4 A. Yes.

5 Q. Are there dredges there? Are they
6 working there?

7 A. They are dredging. There is actually
8 five or six dredges working in that area. They have
9 been drilling and blasting before dredging due to this
10 hard shale rock bottom.

11 Q. Do they create additional difficulties
12 for navigation?

13 A. They do in foggy weather and
14 windy conditions because you must slow down going
15 up there.

16 Q. Do they create difficulties at night?

17 A. At night also their lights are
18 very blinding and then these dredge tenders, the
19 tugboats that tend the dredges, they are often in the
20 way of traffic. They don't seem to realize the risk
21 they are taking by going across the channel with loaded
22 scows against the tide and on top of that they have --
23 I would say they are well-lighted, but too well-lighted.
24 Their lights are very bright and then these tow
25 boats use their searchlights a lot for locating their
26 unlighted markers to get to their dumping grounds and
27 it's a blinding effect on the dark night. It's more
28 or less like when you are coming upriver near the
29 Three Rivers or going downriver and entering Quebec
30 Harbour you have got so many lights that you have to be



1 English

2 right on your toes, have your eyes wide open to watch
3 for oncoming traffic.

4 Q. Is there anything else concerning
5 Cap a la Roche area or should we go further from
6 Cape Charles?

7 A. I think I have mentioned -- I would
8 say the Cap a la Roche area is the most treacherous
9 stretch of our River due to this strong current and
10 it runs diagonal to the centre line of the channel most
11 of the time and also due to the poor bottom where
12 you cannot anchor or stop and I have had one bad
13 experience. I don't know if I should say bad, this
14 spring where I was going down with an upper laker and
15 as I got down to Cap Levrard going with the tide,
16 we entered the thick fog and immediately we slowed
17 down and called the Old Man out but we proceeded through
18 there at reduced speed on radar but as you see, there
19 are all kinds of markers which the dredge uses, and
20 all kinds of mooring buoys, scows, barges, towboats,
21 on top of the official channel markers which make it
22 very difficult to identify the buoy on radar. All
23 very confusing on radar even on short ranges. You
24 are picking up all kinds of things. They even have
25 steel tripods which they use as lead markers to
26 dredges. They put two, one abreast of the other and
27 then two further down. They seem to be made of three
28 to six-inch steel pipes and across those two tripods,
29 across both pairs they have a line and they hang
30 these markers, which consist of square pieces of board



1 English
2 with fluorescent painted on them. They have maybe
3 half a dozen of those across this line between those
4 two tripods and well you are picking all that in your
5 radar and they have almost one set of markers for
6 each of the five dredges that are there, so you can
7 have an idea what you are seeing in your radar screen
8 in foggy weather going through there. It is very
9 very confusing.

10 You must check, you must use your radar.
11 You haven't a choice but you must also check your
12 compass course, check the light buoys as you go by
13 and allow for the set of the current which has a
14 bigger effect on your ship in those conditions because
15 you are going at reduced speed. Anyway, we got
16 through safely and as we got out of it it improved
17 and we carried on and got down to Quebec. I have
18 had this same experience last year on the CORINTHIA
19 but we were upbound and stemming the tide which
20 made a big difference, stemming the tide we just slowed
21 the ship down and just crawled up through that area
22 safely but going with the four to five knot current
23 at reduced speed under those conditions, it is very
24 hazardous.

25 THE CHAIRMAN: I think now before getting
26 to Pointe Platon we are going to have a recess for
27 the witness.

28
29 ---A SHORT RECESS:
30



1 English

2 ---FOLLOWING THE SHORT RECESS:

3
4 CONTINUATION OF DIRECT EXAMINATION BY MR. LALONDE:

5 Q. Captain Bernier we have reached
6 Cape Charles curve if I am not mistaken?

7 A. I believe we have, yes sir.

8 Q. Would you proceed explaining to the
9 Commission the various difficulties you meet on your
10 way down?

11 A. From Cape Charles there are dredges
12 working at Grand Point shoal. There are three
13 dredges working there, that have been working there
14 all summer which means that on my Empress ship I
15 am still going at reduced speed and with the full
16 ebbside you get an exceptionally strong set towards
17 Batture Cadieux. May I come back to Cap a la Roche
18 area? There is something else I forgot to mention.

19 Q. Yes.

20 A. For upbound ships, this is an
21 experience that I have had which I would like to relate,
22 coming up at St.Emmelie Range on an Empress ship at
23 night, very dark when you get opposite buoy 89Q, above
24 buoy 89Q the current sets you towards buoy -- towards
25 the north bank or buoy 92Q and just below buoy 89Q
26 the current sets you the other way, changes very
27 fast at that particular point which means that on
28 a ship the length of an Empress ship when you reach
29 that point you are going at reduced speed because of
30 the dredges in the area. Still when you reach buoy



1 89Q the stern of your ship is in a current that pulls
2 your stern towards the south bank and the bow of your
3 ship in another set which pushes the bow towards the
4 north banks which means that you have got to be ahead
5 of your ship, as we say among seafarers, to allow
6 for that, otherwise if you didn't this is another
7 place where you would have to manoeuvre the engine
8 to bring your ship back in the channel.

9 That is mainly due to the length of the ship
10 and the only effect on the current on ebbtide, it
11 changes so quickly that you know the stern is in a
12 certain set and the bow is in an opposite set.

13 We go back to buoy 76Q now, or Cape Charles.
14 As I mentioned before we get an exceptionally strong
15 set towards the south bank, towards Batture Cadieux
16 for about 500 yards where, upon nearing buoy 73Q it
17 becomes parallel to the centre line of the channel
18 to set you towards the north bank or buoy 72Q quite
19 strongly again a few hundred yards where the current
20 changes again and sets you on to buoy 71Q which is
21 a bit tricky for a stranger even on upper lake ships
22 where the wheelmen are used to keeping the leading
23 lights in line, it fools them. It means that if there
24 may be traffic there they are liable to be on the
25 wrong side of the channel because at first they will
26 allow for the southerly set to hold their ship, to
27 allow for that southerly set as they have their lights
28 in line and they will come back on them, but the
29 other set gets the ship and sets it the other way
30 and the same way further down which means that you



1 English
2 have got to prevent that before you get to it otherwise
3 you are in the way of oncoming traffic.

4 COMMISSIONER SMITH: Might be better if
5 they didn't have any at all.

6 THE WITNESS: Any what sir?

7 COMMISSIONER SMITH: It might be better
8 if they didn't have any at all rather than confuse
9 you.

10 MR. LALONDE: Any range lights.

11 THE WITNESS: Well they would have to
12 depend on the buoys alone then which are only aids
13 to navigation and which are often dragged out of
14 position.

15 COMMISSIONER SMITH: But if the range
16 lights are going to confuse navigators wouldn't it
17 be better not to have any range lights?

18 THE WITNESS: This is not what I am trying
19 to say Mr. Commissioner.

20 COMMISSIONER SMITH: I am sorry. I mis-
21 understood you.

22 THE WITNESS: It is not what I am trying
23 to say. What I am trying to say is that they do
24 notice this set from the range lights opening up.
25 Do you get the idea sir?

26 COMMISSIONER SMITH: Yes.

27 THE WITNESS: They are heading downriver
28 on this heading, the leading lights are astern. There
29 is no leading lights ahead. The only way they can
30 tell the set, the only way a stranger can tell the set



1 English

2 is by watching the leading lights. If you didn't have
3 any, you wouldn't be able to tell but you would still
4 have that set; only have the buoys to go by and the
5 buoys are not too dependable. We have had bad
6 experience -- pilots have had bad experience depending
7 on buoys. Sometimes they are in position and some-
8 times they are not.

9 COMMISSIONER SMITH: Perhaps then I should
10 have said this: it is all right so far as the leading
11 light is concerned but rather than have two ranges
12 to confuse a navigator it would be better to only have
13 the leading lights?

14 THE WITNESS: One leading light you mean?

15 COMMISSIONER SMITH: Yes? I am asking
16 you. I don't know.

17 THE WITNESS: It would be more difficult
18 to notice that set if you would only have one light
19 instead of two lights. That set becomes noticeable
20 more quickly with the two leading lights because those
21 two leading lights indicate a centre line of the
22 channel or a track, you can say. As soon as you go
23 off that track or centre line you notice it right away
24 by the two leading lights.

25 It would take you longer to notice it if
26 you only had the one light. Am I correct?

27 COMMISSIONER SMITH: While we are on this,
28 I have in mind to ask you this question later on but
29 perhaps I can ask it now. You mentioned the widening
30 of the channel and some other things perhaps that throw



1 the range lights out of range?

2 THE WITNESS: Yes.

3 COMMISSIONER SMITH: Because of the
4 widening of the channel. Is there any way of the
5 Aids to Navigation Branch remedying that? Is it
6 possible?

7 THE WITNESS: They are supposed to change
8 the position of those leading lights. I imagine you
9 are mentioning Cap Madeleine course which runs
10 diagonal to the centre line of the channel. They are
11 supposed to move those lights but they haven't done
12 so yet. We have been working the river for the last
13 two years the way it is.

14 COMMISSIONER SMITH: Isn't it dangerous
15 not to remedy that? I mean this is a tortuous river
16 to navigate, as has been explained here.

17 THE WITNESS: It certainly is dangerous.

18 COMMISSIONER SMITH: Isn't it very dangerous
19 not to change and line those range lights up in the
20 proper angle?

21 THE WITNESS: Well as long as you have
22 pilots on the ships that know about that peculiarity
23 you are all right but the case of a stanger that don't
24 know about that, well he is going to get in the way
25 of oncoming traffice because he is going to work
26 those range lights downbound, going to get on those
27 range lights as soonas comes in line which means that
28 he will be in the wrong half of the channel or
29 wrong side of the channel.
30



8/ND

1 ENGLISH

2 As long as we have pilots on the ships we
3 know about that peculiarity and we don't depend on those
4 lights. We never line them up. We come along that
5 course and those lights are not in line when we are
6 passing the middle of that course. The middle of the
7 course, of this two or three miles course the lights
8 are in line but at the top end the lights show closer
9 to the north bank and at the bottom end it shows lights
10 close to the north bank which means if a man goes by
11 the lights whether he is upbound or downbound he is liable
12 to get in the way of other traffic at one point or
13 another.

14 THE CHAIRMAN: At the curve, the bend.

15 COMMISSIONER SMITH: I would think
16 it is, and perhaps you could express an opinion on it,
17 but if these range lights are not serving the purpose
18 they are intended for, and they are certainly not serving
19 their purpose if they are not properly in line or
20 discernable, then something should be done about it,
21 even though the pilots may do some of their own mental
22 adjustments in order to make their navigation as perfect
23 as it can be.

24 THE WITNESS: It would certainly be
25 a good thing to have those lights replaced, mainly for
26 traffic not using pilots and not knowing that peculiarity.
27 As it is now, I must say that even though the lights
28 don't indicate the centre line of the channel it is
29 still a help to us because we know just how much we
30 can open them up, if you know what I mean by opening



1 ENGLISH

2 them up. We know how much we can open them up at both
3 ends of the course. They are a help because if some
4 of the buoys become extinguished we take one of the
5 two buoys in that area, if you have no lights at
6 all you haven't much to go by.

7 COMMISSIONER SMITH: Far be it from me
8 to suggest doing away with range lights. I know they
9 serve a very useful purpose.

10 THE WITNESS: A very useful purpose.

11 COMMISSIONER SMITH: There is no question
12 about it. They could serve a more useful purpose if
13 they were in true alignment and from your evidence they
14 are not.

15 THE WITNESS: They should have been
16 positioned by now, but they haven't been. The same way
17 with the other courses further down like the Champlain
18 Lower Course, for instance, and those other courses
19 which I will think about, St Antoine Traverse.

20 Q. Can you say whether the range lights
21 at Cap Madeleine are indicated on the chart as not
22 showing true centre of the channel?

23 A. Yes, if you follow the line, the leading
24 lights indicated on the chart it is easily noticeable.
25 If you look at the chart -- you see dotted lines along
26 the channel, they indicate the lights in line. We
27 know if you get those lights in line in this area
28 especially opposite 38C you are in the wrong half of
29 the channel, and the same applies at the bottom end
30 of the course. These dotted lines run diagonally through



1 ENGLISH

2 the channel, ~~lands~~ these dotted lines indicate the
3 alignment.

4 Q. I was referring to ~~Becancour~~ Traverse
5 instead of Madeleine as such.

6 A. It is also known among the pilots
7 as Cap Madeleine Traverse, although officially, if you
8 go to the charts it is ~~Becancour~~ Traverse.

9 Q. Captain, we have reached Grondines
10 Anchorage as I understand it. Is this the first main
11 anchorage from Three Rivers or were there other such
12 anchorages before?

13 A. It isn't. We have an anchorage at
14 Cap Madeleine?

15 Q. Yes. Is it indicated on the chart?

16 A. It is not indicated by an anchor.

17 Q. Would you mind showing it with a
18 green pencil.

19 A. A widening of the channel. There is
20 no anchor marked on this map to indicate the anchorage,
21 but we use it as an anchorage in an emergency, or even
22 for ships going to Three Rivers and having to wait for
23 a period under normal conditions. Again that anchorage,
24 like all other anchorages in that area are safe under
25 normal conditions. There comes adverse conditions,
26 they are bad, very dangerous for big light ships. The
27 wind has an effect on your ship, swings it around.
28 The next anchorage, we also use Pointe Citrouille as an
29 anchorage in an emergency.

30 Q. Would you indicate in green the



1 ENGLISH

2 approximate area where you anchor ships near Points
3 Citrouille?

4 A. This is a natural channel which is
5 larger than elsewhere and we have given it the name of
6 anchorage, but again it is an anchorage with very little
7 space for big ships.

8 Q. What is the next anchorage?

9 A. The next anchorage is Batiscan.

10 Q. Which is indicated on the charts and
11 which you circled in green also?

12 A. Batiscan is another anchorage,
13 the same. I had a ship, I think I have mentioned,
14 about two weeks ago -- did I mention it?

15 Q. No.

16 A. The ESSO SAO PAULO to lighter. I had
17 orders to proceed to Batiscan Anchorage and wait for
18 a lighter since we had to lighter the ship to dock at
19 the C.I.P. Dock at Three Rivers. We got there about
20 six o'clock in the evening with a light northerly wind.
21 I brought the ship to anchor in exactly the middle
22 of the anchorage, but when the tide came up, due to the
23 effect of the wind the ship came broadside to the river,
24 the ship was lying broadside across the river and
25 nearly blocked, not blocking the channel, but very
26 near to the channel for about an hour and a half near
27 high water, a little before and a little after high
28 water. I was nothing but a nuisance there. After the
29 tide turned she got into the right position again well clear
30 the main channel. We laid there for 40 hours, I said,



1 ENGLISH

2 After about 22 hours this lighter came along, tied
3 alongside of us on the starboard side, about 1:30 in
4 the morning. At that time the wind had shifted to the
5 north-east which meant while laying at anchor I had
6 the wind on my port side. It was an 18 foot tide and
7 when the tide started to turn the ship would start,
8 instead of swinging, north to south like it did the pre-
9 vious day it went the opposite way which meant that
10 I was getting too close to the north bank of the anchorage,
11 so I got everybody out and the engine ready and had
12 to shift anchorage because I would have been too close
13 to the south bank. The ship came right around and was
14 heading straight down river for about an hour.

15 Q. Did that ship have a stern anchor?

16 A. It didn't.

17 Q. Would you use stern anchor in a case
18 like this?

19 A. I would have used the stern anchor
20 to steady the ship up.

21 Q. Would that have been useful?

22 A. Well, it depends a lot on the size of
23 your stern anchor. Some ships have a stern anchor
24 which are the same weight as the bowers, but other ships
25 have much smaller stern anchors which are not too
26 efficient.

27 Q. You reached Grondines Anchorage which
28 would be the fourth or fifth place -- the fifth place
29 where you could, if necessary, anchor a ship. It is
30 chart No. 444, Exhibit 444, No. 1334?



1 ENGLISH

2 A. This chart only shows part of Grondines
3 Anchorage. If you want to discuss Grondines Anchorage...

4 Q. Would you have anything to say about
5 Grondines Anchorage?

6 A. Yes, I have. I want to say that
7 Grondines Anchorage isn't a recommended anchorage for
8 a big ship because invariably except in early spring
9 when the river level is very high, ~~in~~ invariably your
10 ship will swing with the tide. If you anchor a ship
11 like an EMPRESS up there, or even an upper laker, you
12 will swing and make a complete turn or you might make
13 a 180 degree turn, depending on the wind. The wind has
14 a big effect on a ship when it is anchored and it will
15 either swing this way, depending on the wind and backwards
16 the same way or the other way. You have only got
17 about 18 feet wide ~~in~~ the length of your cable on
18 top of that. If it blows strong enough from the north
19 which will cause your ship to stretch the length of
20 the cable it means you are going to get pretty close to
21 the south bank which is very, steep, very little water,
22 almost dry at low tide. You have to keep away from
23 that. In that area from Grondines down to opposite --
24 not quite down to opposite buoy 64Q is considered an
25 anchorage also, but if we use it only under adverse
26 conditions or waiting for tide, maybe. It wouldn't be
27 called a safe anchorage if you had to lay there for
28 any length of time because there again your ship swings
29 with the tide and the traffic gets pretty dense at
30 times and you would be a nuisance, a hazard to navigation.



1 ENGLISH

2 Q. Now, from this point you have reached,
3 which is --?

4 A. From the Grondines Anchorage from
5 buoy 66Q then I would alter course, what we call the
6 Deschambault alignment. There are no lights. It consists
7 of light markers which is marked right on this chart.
8 Quebec mountain ahead in line with Pointe Deschambault
9 when the weather is very clear, otherwise you can't
10 see that mountain and you can't see it at night. You
11 have to allot distance from the shore, from the buoy
12 and our compass headings, of course, use radar if
13 needbe, and then get down to buoy 63Q and alter alter
14 course again on to Barre a Boulard alignment which takes
15 us to what is known as the Richelieu Rapids.

16 Q. Yes.

17 A. The peculiarity of this course is
18 that going on the range, just as you go on to it, you get
19 the set towards the north, towards the north bank for
20 three or four hundred yards where it becomes parallel
21 to the centre line of the ship channel, and where it
22 sets you again towards the south bank at buoy 61Q for
23 just a few hundred yards again, where it sets you towards
24 the buoy 60Q at the lower end of the cut. The current
25 runs very swift at this place and depending on the
26 height of the tide, it can run as much as 8 knots per
27 hour over the ground or over the bottom with a spring
28 tide and high water level.

29 Q. I see. That must be one of the places
30 where the current is the swiftest in your District or



1 ENGLISH

2 have you experienced stronger currents elsewhere?

3 A. This I would say to my estimation is
4 the strongest current in the river between Quebec and
5 Montreal on the last two hours, because the current
6 is not always downbound. It can change with the flood
7 tide, the flood will turn, it will run up possibly
8 2 knots on the spring tide.

9 Q. Do you experience difficulties in
10 the Richelieu Rapids?

11 A. Outside of these strong sets the
12 leading lights don't -- what shall I say -- when you
13 come on those leading lights you open them up slightly
14 and you are not far off the centre line. As you go
15 down towards, as you get near you get off that centre
16 line, you have to open them wide. They are what we
17 call sensitive. That is the peculiarity of these
18 lights. Up here (indicating) they are not sensitive.
19 As you go up, in order to keep on your side you must
20 open them up a lot. I have experienced with big
21 ships coming up on these leading lights, you are stand-
22 ing right in the mid ship, in the centre part of the
23 ship and the lights are in line. You walk to one end
24 of the bridge and they are way opened up and you walk
25 to the other end and they are opened up the other way.
26 This is from Richelieu Islet to buoy 61Q or a little
27 above that which means they are very sensitive. You
28 walk 50 feet across the bridge and you notice the
29 lights opening up or closing in. This is one of the
30 peculiarities of these lights.



1 ENGLISH

2 Q. Do you have difficulties with ships
3 coming up the river when you have that strong current,
4 can you keep in place easily?

5 A. You see, this is the same thing as
6 I have mentioned before. You get these different
7 sets here in such short distances that you allow for
8 one set and if you don't know about the other set the
9 first thing you know you are off the centre line again
10 unless you prevent it, which changes so quickly.

11 Q. Do you have to slow down speed if
12 you are going down?

13 A. Going through there?

14 Q. Yes?

15 A. Not if my ship isn't too big. If my
16 ship was close to the bottom and if I was passing through
17 there near low water I would slow down, certainly, to
18 prevent squatting too much.

19 Q. What is the bottom there, rocks or
20 clay?

21 A. Shale rock and clay. They have had
22 to blast in that area when they were dredging some.

23 Q. Would you proceed unless you have
24 something to add about Richelieu Rapids?

25 A. Not too much. This next part of the
26 river from here to Quebec, as you can see from looking
27 at the chart is a lot wider except for the Cap Sante
28 Traverse.

29 Q. Yes, what about the Cap Sante Traverse?

30 A. It is a dredged channel again. From



1 ENGLISH

2 Richelieu Rapids the channel is a natural channel which
3 creates 90 degrees, in making a 90 degree turn to
4 Portneuf. The water was quite deep, coming up if
5 you receive word that the visibility was poor at Portneuf
6 you could anchor there, although the current is very
7 strong. Your ship will hold there, but you would have
8 to keep a sharp lookout just the same. The current has
9 a tendency to set you with the north shore right along
10 as you are making this bend. The weight of your ship
11 and the current, your ship has a tendency to drift
12 as you turn until you get to buoy 45Q, say between buoy
13 49Q and 47Q, the current in that area runs nearly
14 parallel to the centre line of the channel but from 47Q
15 to 49Q and a little past that you get a strong set towards
16 that shoal patch at 45Q.

17 Q. Would you indicate in red on the
18 chart? Yes, you have also indicated ---

19 A. I have also indicated coming around
20 the point, coming back to where you were at 45Q, you get
21 a slight setting toward the bank for a few hundred
22 yards and then as I said before making the bend, you
23 get a slight set, set and movement of your ship -- not
24 only set above, but since you are coming around the
25 bend at a high speed, 15, 16 knots and quite a sharp
26 bend, inevitably the ship has motion and she will
27 drift around the bend.

28 Q. You are at Cap Sante Traverse?

29 A. I have mentioned this set at buoy 45Q,
30 that as far as, I would say as far as buoy 45Q



1 ENGLISH

2 where the current becomes further out of the centre line
3 of the channel, depending on the tide -- right at that
4 particular place it will set you parallel to the centre
5 line of the channel but from buoy 42Q to buoy 34Q you
6 will experience a setting either way depending on the
7 tide. If the tide is ebbing it will pull you towards
8 the east bank quite strongly, especially at the lower
9 end of the course and if the tide is on the flood it
10 will have the opposite effect.

11 Q. I see.

12 A. That is marked ebb and flood. This
13 set is stronger on the ebb than it is on the flood be-
14 cause the ebb runs strong in that area. Getting down
15 to buoy 34Q then you get the natural channel from there
16 down to St Antoine Traverse. There is one short course
17 which is indicated as 263 degrees true on this chart
18 where you have no leading lights to go by, except one
19 green light ashore known as Ste Croix East. As you near
20 buoy 32Q you then alter course to make St Antoine align-
21 ment.

22 Q. Is this alignment all right?

23 A. Sometimes. I had a trip about three
24 weeks ago going down river at night where I got down
25 to Batiscan curve with both leading lights extinguished.
26 We made that all right, we got down to St. Emmelie
27 Course again, both leading lights out. As we got down
28 to St. Antoine alignment again both leading lights
29 were out.



1 ENGLISH

2 And also Ste Croix East ~~light~~was out, out
3 probably due to power failure because at the same time
4 I noticed that there were no lights at all in the village.
5 As I understand the instructions we get from the Depart-
6 ment, when such a thing happens the emergency lights
7 are supposed to go on automatically. I think we have
8 evidence before this Commission to this effect as a
9 matter of fact, but it didn't work that time. Both
10 lights were out, both Pte St Antoine leading lights,
11 Ste Croix East was out and the whole village lights
12 were out. It was due, I presume, to power failure
13 but after I got past Pte St Antoine the power came on
14 again. I saw the village lights, street lights, come
15 on again and then I saw Ste Croix East come on also
16 but by that time I was past St Antoine Alignment so I
17 couldn't tell whether they also came on at the same
18 time.

19 Q. Would you tell the Commission when this
20 occurred?

21 A. I can't tell you the exact date but
22 it has been reported and they have it in the records
23 in our Quebec Office.

24 Q. Is that this year?

25 A. This year, I would say three weeks
26 or a month ago.

27 Q. And which ship were you on at that
28 time, do you remember? Was it reported by yourself
29 to Quebec?

30 A. Not the St Antoine Alignment because



1 ENGLISH

2 it had been reported because I reached that point as
3 some other ship did. I have reported Ste Croix East
4 being extinguished and Ste Emmelie Range being exting-
5 uished and at that same time buoy, or Cape Charles 76Q
6 was also extinguished and had been reported extinguished
7 for the last two days.

8 Q. Two days?

9 A. That particular time.

10 Q. And you have checked that yourself?

11 A. I have, yes.

12 Q. And you are aware that the power failure
13 had been reported to Quebec? The Department in Quebec?

14 A. Not the power failure but that the
15 lights being extinguished. I couldn't tell you what
16 the power failure was. We reported the navigation lights
17 when they are extinguished. We don't bother with the
18 village lights.

19 Q. What did you do in this particular
20 case? Did you proceed down anyway?

21 A. I proceeded down and then reduced
22 speed.

23 THE CHAIRMAN: Would it be possible
24 to-night, because you are certainly not going to finish
25 to-night, have to be back tomorrow morning, so could
26 you try to find out what was the date and the ship you
27 were on?

28 MR. JACQUES: I have asked the Liaison
29 Officer of the D.O.T. to check on that.

30 THE WITNESS: I would have to find
that



1 ENGLISH

2 that date from our Quebec Dispatcher's office. They
3 must have kept that in their records. I have no record
4 on it. I keep records of the ships I handle and by
5 knowing the date that those lights were reported exting-
6 uished, I would know what ship I had. Anyway it was a
7 big ship I know, or fair sized ship. I believe it was
8 a Class A ship.

9 Q. You were reporting about the range
10 lights at St Antoine --

11 A. No, somebody else did.

12 Q. I am sorry you were --

13 A. At Ste Croix.

14 Q. But you had reached, I think, these
15 range lights in your testimony?

16 A. Yes.

17 Q. Do you have anything to add in connect-
18 ion with the part of the river which is shown on chart
19 444?

20 A. No, there is no course here. You
21 get various sets and drifts, sets I should say which
22 vary with the motion of the tide whether on the flood
23 or the ebb.

24 Q. We will now proceed to Chart 445,
25 No. 1333. Do you want to get back to 444? You have
26 something about St Antoine Traverse?

27 A. You are correct. You are right.

28 Q. I have become a pretty good seaman.

29 A. This particular section here is,
30 looking at the chart, you will see along this dotted



1 ENGLISH

2 line centre line of ship channel which to my estimation
3 is far from being in the centre of the deep-water
4 channel. I mean if an upbound ship followed that line
5 and met a downbound ship in that area, it would be
6 pretty close quarters because that line comes pretty
7 close to this buoy 27Q and pretty close to the bank also
8 so we don't use that centre line. We head towards --
9 we make for the centre of that deep-water more than
10 indicated on the chart by centre line of ship channel
11 and while we make St Antoine Traverse again you get to
12 another anchorage here called Ste Augustine Anchorage.

13 Would you Q. Would you circle it in green please?

14 A. This Ste Augustine Anchorage I would
15 say is one of the best anchorages we have in the area
16 between Three Rivers and Quebec. One of the best.
17 Good holding ground, quite a lot of swinging room, and
18 you are not sitting in the middle of the harbour like
19 we are at Quebec City amongst traffic congestion and
20 right next to a pilotage station so I would say that this
21 is one of the best anchorages we have in that area.

22 After making St Antoine Traverse I will be
23 altering my course again to go on Pointe Basile Range
24 Lights or Alignment. This is another place where the
25 alignment does not indicate the centre line of the ship
26 channel. The channel has been dredged, widened on the
27 south side only and the leading lights have not been
28 changed.

29 Q. So you still have your leading lights
30 which actually are not indicating the centre line?



1 ENGLISH

2 A. Yes.

3 Q. Would you indicate on the chart where
4 these range lights are?

5 A. Pointe Basile. The tides on Ste
6 Augustine Bar or Shoal runs more or less parallel to the
7 centre line to this indicated line, or the centre line
8 of the channel.

9 Q. Have you known these range lights to
10 be outside the centre of the channel for a long time?

11 A. Only since the dredging has been
12 done. This is --

13 Q. Twenty years ago?

14 A. Not that long. I would say three
15 or four years ago. I can't tell you accuragely now.
16 My memory isn't that good. After we have passed this
17 bar, Ste Augustine Bar, if you are coming down with
18 ebb tide, you experience a set towards the south-east
19 from just above buoy 15Q. This set has an opposite
20 effect on flood tide. This set is all along a beam
21 St. Nicholas Church, which is indicated on this chart
22 all along this course and with a peak loaded ship
23 going down with the ebb, you have got to steer to
24 allow four, five, six, seven, eight degrees for this
25 set, depending on your speed and the depth and the
26 draught of your ship, until you get down to about a
27 beam of Pointe Confederation. You have Pointe Descham-
28 bault on this chart. I have never heard that. We
29 never use that. It is commonly known by the pilots as
30 Confederation Pointe. Where this Pointe Deschambault.



1 ENGLISH

2 comes from, I don't know. On the old charts it was
3 Confederation Pointe.

4 This is the point where you alter course or
5 you go off the Pointe Basile Leading Lights and head
6 to the north end of Quebec Bridge. There you get a
7 slight set towards the north with ebb and opposite set
8 more towards the south with flood.

9 Q. I will put in green "flood" next to
10 the arrow I have drawn in red and "ebb" in green next
11 to the other arrow. Is that correct?

12 A. Yes, that is correct, and then again
13 if we get abeam of Pointe Basile we head for the centre
14 of Quebec Bridge. This is another place where I
15 don't live up to the indication of this chart at all.
16 This centre line of ship channel indicated on this
17 chart is far too close to the south bank for an upbound
18 ship. A downbound ship can go along that line but
19 an upbound ship, if he follows that line, he would
20 be crowding the downbound ships. You have the tide
21 here pretty well fair, parallel to this line and past
22 the bridge, and then we have got our own marks and
23 heading from there on to Quebec, our own personal
24 secrets.

25 Q. I think we have been given a description
26 of the Quebec Harbour, my lord, in Quebec City by
27 Captain Dussault and I think Captain Dussault has
28 covered pretty well all the points.

29 THE CHAIRMAN: Up to Sillery, yes.

30 Q. Up to Sillery.



1 ENGLISH

2 A. May I add something about Quebec
3 Anchorage?

4 Q. Yes, please.

5 A. I don't know if you have mentioned
6 Quebec Anchorage under adverse conditions; it is very
7 bad anchorage with peak loaded ships. You have to use
8 at least six shackles of cables there and then, as you
9 know, the ship swings with the tide so you have -- I
10 have experienced it myself, you have a deep loaded
11 tanker lying at your anchor on flood.

12 Q. That is Exhibit 442, No. 1321 and
13 the witness is pointing out the anchorage area indicated
14 in blue on this chart previously by Captain Dussault.

15 A. You have your ship lying at anchor
16 here in this area and heading down river with a strong
17 north-easterly wind, or even an easterly wind. What
18 happens when the tide turns? The first effect it has
19 on your ship, your ship doesn't swing as fast as the
20 tide does and the ship will go ahead first and then it
21 will stretch its cable and then it starts to swing across.
22 By the time it is across the river like this, the
23 current is already running quite strong. The easterly
24 wind checks that swing, strong easterly wind, and then
25 your ship is lying across the river like this (indicating)
26 and it is more or less like a dam. Take a 34, 35
27 draught ship lying across a four knot tide, first thing
28 that happens you are dragging your anchor. There is
29 other traffic there. You come dangerously close.
30 That is all I wished to add.



1 ENGLISH"

2 Q. Would you have any suggestions as to
3 anchorage in Quebec Harbour in view of what you have
4 said?

5 A. ~~Would~~ I have?

6 Q. Would you have anything to suggest
7 because, after all, ships have to anchor somewhere. You
8 say it is a very bad spot?

9 A. Under adverse conditions. Normal
10 conditions it is all right. I would suggest for tankers
11 that do have to lighter at Quebec that it is not a
12 safe anchorage.

13 Q. Not at all for tankers?

14 A. No, at any time you are exposing, you
15 are a hazard to navigation or a menace and anything
16 can go wrong, especially near a pilot station you board
17 ships that are coming along full speed and reduce speed
18 and stop the engine and then when you need the engine
19 again they call down below and say well you can't have
20 the engine for a few minutes, slow down. Something
21 like that.

22 Q. Where do you think tankers should
23 anchor?

24 A. I think they should be down river,
25 Orleans Island, somewhere away from the city and away
26 from this congestion or up above the bridge, St.
27 Nicolas.

28 Q. And is it your considered view that
29 tankers entering in the limits of Quebec Harbour at the
30 present time constitute a real threat?



1 ENGLISH

2 A. Constitute a menace to navigation.

3 You mentioned the IRVING OIL a while ago,
4 I believe in the other testimony when Mr. Arcand was
5 testifying. There was one peculiar thing at that berth,
6 the Irving Oil Berth at Sillery, just above Sillery
7 Cove. Right next to that berth there is the Sillery
8 Incinerator which the Town of Sillery use for the garbage,
9 and all that and they don't only use the incinerator,
10 but come along with their trucks and dump it along the
11 bank of the river and set fire to it and I cannot under-
12 stand why the Quebec Harbour Authorities have never
13 done anything about it.

14 I had one case of a City Service tanker
15 under the American flag who docked there one time and
16 in making the approach to the dock the master seen this
17 bank of fire and he says is it always like this? I
18 said it is most of the time, except after a heavy
19 rain. He said we are going alongside but we are not
20 going to hook up the hoses until the fire brigade is
21 there, all the time we were unloading. I consider that
22 a very serious hazard because this fire is debris,
23 garbage burning and a lot of spark, not like an oil fire
24 where there is no spark. That is debris which is burn-
25 ing and you see sparks flying all over the place and
26 these tankers unloading are only a few, about two or
27 three hundred yards at the most from that fire with
28 their haulage caps open sometimes. It is a very dangerous
29 thing.

30 Q. And that still does take place, does it?



1 ENGLISH"

2 A. It still does. I was going to -- I
3 am going to report it to the Quebec Harbour again. I
4 have done so already.

5 Q. Did you have any answer from the Quebec
6 Harbour Authority?

7 A. No. I have done it personally. Maybe
8 I should have done it through our Committee of Pilots
9 but this is a sure hazard.

10 Q. I only have one more question on
11 these charts. You have indicated in green a certain
12 number of anchorages. Do you have an anchorage near
13 Pointe au Platon? I don't think we have mentioned it.
14 Can you anshor there?

15 A. I mentioned Portneuf when the
16 visibility was poor in the rapid, or up above, you want-
17 ed to anchor there, you could anchor there, Platon
18 Portneuf, it's all the one anchorage.

19 Q. I will make a green circle in that
20 area.

21 A. It's a fairly good anchorage. The
22 current runs very strong set at the foot of that rapid
23 and the last two hours of ebb run five to six knots.
24 You need lots of cable.

25 Q. I notice in your testimony you stated
26 that in a certain number of places you would not rely
27 upon the maps as to what was the centre of the channel
28 and you would not rely upon the range lights.

29 A. I do rely on them but I am only ind-
30 icating that they are not showing the centre line of



1 ENGLISH

2 the ship channel.

3 Q. Do you have ships which are not using
4 pilots in practice to-day? ~~and~~ they follow, as far as
5 you know or as far as you can make out, do they follow
6 the same rules as you and the other pilots follow in
7 that respect?

8 A. Well in our area the ships that don't
9 use pilots are those river schooners, bateaux we call
10 them, and a few, very few small coasters and well they
11 do the best they can. Some of them sometimes are a
12 menace and others do very well.

13 Q. Do you have difficulty with small
14 yachts and all types of crafts like yachts?

15 A. I would say that we have more difficulty
16 with yachts than we do have with those schooners.

17 MR. LALONDE: My lord, I don't know
18 whether you want to proceed further tonight.

19 THE CHAIRMAN: No, that is all right.
20 I was just waiting, so we will proceed with Mr. Bernier's
21 testimony tomorrow morning at ten o'clock.

22
23 ---Whereupon the hearing adjourned until Wednesday
24 morning at 10:00 A.M.

25

26

27

28

29

30

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL, QUE.

VOLUME No.:

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THE ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Old Courthouse
Building, Montreal, Quebec,
on Wednesday, the 20th day
of November, 1963.

COMMISSION :

The Honourable Mr. Justice Bernier	Chairman
Mr. Robert K. Smith	Member
Mr. Harold A. Renwick	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. J. Richards	for the Canadian Merchant Service Guild
Mr. J. Brisset, Q.C.	for the Shipping Federation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid- St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corp- oration of the Upper St. Lawrence Pilots.



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1 --- UPON COMMENCING AT 10:00 A.M.

2 HENRI BERNIER, sworn

3 DIRECT EXAMINATION BY MR. LALONDE, continued

4 Q. Captain Bernier, you were proceeding
5 yesterday with a ship downbound in your District. You
6 were requested to take an EMPRESS down. If you are
7 taking down a turbine ship...

8 A. May I interrupt, Mr. Lalonde. Before
9 I begin my evidence before this Commission may it
10 please your lordship if I retract from part of my
11 testimony of yesterday where I said that while piloting
12 an Canadian Laker downbound the river I finally noticed
13 upon reaching Batiscan Traverse that the leading lights
14 were extinguished, also Ste Emmelie Leading Lights, also
15 buoy 76Q, also Ste Croix East and also St Antoine Range
16 Lights, all extinguished. What I wish to say that about
17 the Batiscan Traverse Range Lights, it was on some
18 other occasion while near about that time, while going
19 up river with a ship that I have noticed the Batiscan
20 Traverse Range Lights, that is the back range light
21 extinguished and the front one very dim. What I want
22 to point out to this Commission is that I was wrong in
23 saying that on that same night while going down the
24 river the Batiscan Traverse Range Lights weren't work-
25 ing properly. That is all.

26 Q. You say the Batiscan Range Lights
27 were working properly but the others weren't working?

28 A. That's exactly, sir.

29 THE CHAIRMAN: The St Antoine Range?

30 THE WITNESS: All the others I have



1 ENGLISH

2 mentioned in my testimony of yesterday were extinguished
3 except for the Batiscan Traverse Range Lights on that
4 special trip. On this other occasion Batiscan Traverse
5 Range Lights, the back light only was extinguished and
6 the front light was showing a very dim light.

7 MR. LALONDE: Thank you. I was asking
8 you a question, Mr. Bernier, about the turbine ship
9 proceeding down river. Do you experience any particular
10 difficulty in stopping these ships supposing you have
11 some emergency, suppose you are going down river? How
12 long would it take you to stop such a ship?

13 A. Well, that could vary greatly depending
14 on the size of the ship, her draught, her speed and
15 her manoeuvrability.

16 Q. Yes. Do you have such experience with
17 turbine ships wanting to stop them on your way down?

18 A. Most of these big turbine ships would
19 have them go down river in daytime and we will ask
20 for cease speed in certain sections of the river both
21 going at that speed. The officers or the master will
22 say if we have to slow down or reduce suddenly we
23 just can't do it, we must give the engineer a ten or
24 fifteen minute notice before they can bring down the
25 steam pressure and slow down the engines.

26 Q. Did you say ten or fifteen minutes?

27 A. It varies from ship to ship. I
28 had ships where they wanted half an hour before you
29 could slow down. Under those circumstances I never
30 ask for cease speed. We generally go along at manoeuvr-



1 ing speed because there are places in our river where
2 if you are going down with a 16 knot ship with the tide
3 you can't see that far ahead of you, places like
4 Platon Pointe, for instance, and Point Citrouille. You
5 can't see that far ahead of you. A 16 knot ship going
6 down with the tide travelling covers quite a distance
7 in half an hour.

8 Q. Do you experience fog or other in-
9 conveniences frequently in your district, and if so
10 which time of the year mainly, fog?

11 A. We often experience fog or poor visib-
12 ility in our river, yes.

13 Q. What time of the year is that most
14 frequent, especially fog?

15 A. Well, most any time of the year. At
16 the same time we get this hazy weather before ice. If
17 you get a mild day you get a smog or a smaze or haze
18 which will cut visibility down to sometimes a mile
19 even less than half a mile. In the summertime we often
20 experience during July and August what is known amongst
21 the pilots as morning fog, especially after a hot day.
22 In the fall of the year from October on I would say
23 we experience about the same conditions as we do
24 in the spring, especially on a cold night, sometimes
25 that is known amongst seamen as Arctic smoke will start
26 to form and it will eventually turn into thick fog
27 patches.

28 Q. I have heard mentioned by pilots on
29 occasions "quick fog". Is that a particular type of
30 fog that runs in your district or what?



1 ENGLISH

2 A. Yes, I would say we often experience
3 this fog coming on suddenly or fog patches, coming on
4 very suddenly at certain places.

5 Q. Does this occur any particular time
6 of the year especially or is it just....

7 A. Those thick patches of fog are most
8 experienced in the spring and in the fall of the year,
9 like this time of the year, for instance, if you have a
10 warm day and if the temperature drops 15, 20 or 25
11 degrees during the night then you would be on the
12 lookout for these quick fogs, as you said.

13 Q. For how long and ships go to Three Rivers
14 during the course of last year, how long was the season?

15 A. Well, ships have been going up the
16 river to Three Rivers most of the winter. Personally
17 I had a trip myself on the 23rd of January last year
18 on a British ship.

19 Q. Are you aware of the forecast for this
20 year? Have you any knowledge in this respect?

21 A. I mean it is only, what I would say
22 would only be hearsay.

23 Q. Fine. Taking a ship up or down river
24 in the wintertime with you...

25 A. Would you repeat that? I am not
26 hearing you too well.

27 Q. When you are taking a ship to Three
28 Rivers during the winter either up or downbound what
29 do you use to guide yourself, what aids do you use
30 and what are the troubles you meet?



1 ENGLISH

2 A. The main trouble in taking a ship
3 up river during the winter is poor visibility. We can go
4 by landmarks mostly, and we can use radar to a certain
5 extent, mainly in the lower half of our section. As far
6 as the winter buoys are concerned we can't depend on
7 them very much. At times we can't depend on them at
8 all due to tidal conditions or ice conditions and the
9 poor visibility or other times they are dragged out
10 of position.

11 Q. Are the range lights operating during
12 the winter for winter navigation?

13 A. Well, so far I have only had one trip
14 in the middle of the winter and I must say that we
15 went up with daylight. We make it a point in our
16 section of the river of going with daylight only, that
17 time of the year.

18 Q. I see. Is there a period during which
19 your summer aids to navigation have been taken out and
20 you are still proceeding by night?

21 A. Yes.

22 Q. Are they in the fall or in the spring?

23 A. Yes, in the springtime and in the fall
24 of the year, I would say that in the springtime -- did
25 you say navigate the river at night, sir?

26 Q. Yes.

27 A. It depends on the sort of ships we
28 are handling. Generally we wait for daylight until
29 the navigation aids are laid out. There are a few
30 instances where with a small ship and a clear night we



1 ENGLISH

2 will proceed up river.

3 Q. I have personally heard complaints
4 about range lights at Pointe au Basille. Did you notice
5 anything particular in connection with these range
6 lights yourself?

7 A. Well, I have noticed recently that
8 those lights don't seem to be as bright as they used
9 to be for some reason. I know for a fact that when
10 they were changed from white to green we were told by
11 the D.O.T. agency in Quebec that the lights would be
12 30 per cent weaker, but recently I think those lights
13 are not as good as they used to be or not as bright.

14 Q. Did you report this?

15 A. Not personally, but I was in the office
16 when one of my confreres did report it.

17 Q. When you are taking a ship on the
18 river, let us say during springtime, do you encounter
19 particular difficulty with ice floating down river?

20 A. In the springtime we certainly do. I
21 would say that during late March until near the middle
22 of April is the most dangerous time to navigate the
23 river with the ice conditions prevailing?

24 Q. You mean...

25 A. I mean to say I would much rather
26 take a ship up or down the river in the middle of the
27 winter when the shore ice is still formed and holding
28 place than to take a ship up river in late spring when
29 the lake ice or shore ice along the river breaks loose.
30 That ice is very heavy, and you know, and sometimes it



1 ENGLISH

2 will break loose from the shore in big patches and
3 drift into the channel and you need a very powerful
4 ship and a reinforced ship to cut through it, while in
5 the middle of the winter you only encounter what is
6 known as sheet ice, more or less, which isn't so heavy
7 and which most ships can cut through.

8 Q. Is that ice in the spring strong enough
9 to push your ship outside of the channel or what?

10 A. It certainly is, depending on the size,
11 speed and weight of the ship and the thickness of the
12 ice. I mean if you do go in a thick patch of ice with
13 a medium size and medium speed ship and get stuck in
14 it you would be in trouble. You might be able to back
15 out of it and you might not. If you can't back out
16 of it it means that you would be pushed ashore by that
17 piece of ice, which generally drifts in the centre of
18 the channel where the current is strongest.

19 Q. Have you had experience in your District
20 either personally or some of your confreres of being
21 pushed aground by such ice in the springtime?

22 A. Personally I have never had that ex-
23 perience myself. I know some of my confreres have had
24 that experience, but exactly how it happened, I don't
25 know.

26 Q. Are there particular areas in your
27 District or section of the District where you meet fog
28 in particular more than elsewhere?

29 A. Yes, but I would say that these
30 particular places vary with the time of the year. Like,



1 ENGLISH

2 in the summertime the Champlain Curve is considered a
3 bad place with morning fog. Other times of the year
4 it is elsewhere.

5 Q. I see. You mentioned yesterday, and
6 this morning also that on at least one occasions
7 recently the range lights were out or aids to navigation
8 were out. Have you experienced frequent occurrences
9 of this type on your way, one or two buoys would be
10 out for some reason?

11 A. Yes, it does happen. I don't know
12 if I could say frequently but it does happen occasionally.

13 Q. Occasionally?

14 A. Where we will have one or two lights
15 extinguished, or maybe one or two or maybe three buoys
16 extinguished.

17 Q. Do you experience this especially
18 during the fall or is it spread all over the year?

19 A. Mainly during the fall when the weather
20 turns, that is when the weather gets colder.

21 Q. Captain Arcand stated yesterday that
22 there was some gentlemen's agreement to the effect that
23 there should always remain three feet draught -- excuse
24 me, three feet clearance, three feet clearance under
25 the keel in your District. Does the same rule apply in
26 your section?

27 A. I believe that is an agreement -- this
28 is hearsay, this agreement is with the Montreal Port
29 Warden. I don't believe that they have the same agreement
30 in Three Rivers or Quebec, although pilots have been



1 asked to take deep-draught ships down river from Three
2 Rivers and they were also asked to go aboard ships
3 before sailing to check the ship's draught and some of
4 our men have asked for two and a half foot clearance
5 under the keel.

6 Q. Do you experiences instances where you
7 have to wait for the tide to take a ship up or downbound
8 to Three Rivers or Quebec?

9 A. Yes, sir, on a deep-draught ship or
10 slow ships.

11 Q. We have had before the Commission
12 some evidence as to the usefulness of signal stations
13 or signal services along the shore. What is your ex-
14 perience in that respect?

15 A. Signal stations?

16 Q. Yes.

17 A. I think that some of the signal stations
18 are very important especially on ships where we don't
19 have any radio-telephone where we can't communicate with
20 other traffic, these places like Batiscan, Grondines
21 or St. Nicolas reporting station so a signal for fog is
22 being reported in their vicinity. It gives us an idea
23 of the weather conditions in the particular area where
24 you are in.

25 Q. In your experience can you give
26 an approximate percentage of ships which would have at
27 the present time radio-telephones on board?

28 A. That is very hard for me to give you,
29 a percentage of ships.

30 Q. Well, let us say this year, would it



ENGLISH

1 be 99 per cent or would it be 60 per cent or 70 per
2 cent? I would like to have a very rough idea whether
3 this is something which will happen once in three months
4 or very frequently?

5 A. I can only give you a guess.

6 Q. Yes.

7 A. I would say, I would guess, rather,
8 that roughly 60 per cent of the ships are equipped with
9 r.t. and maybe 40 per cent are equipped with r.t. and
10 V.H.F. radio-telephones.

11 Q. Would you say if all ships had radio-
12 telephones you could dispense with signal services
13 ashore or would you feel you would still need the signal
14 stations?

15 A. Well, I believe the signal stations
16 have still their importance, even though all ships
17 are equipped with radio-telephones because there are
18 dead spots on our river where you can't communicate with
19 other traffic to find out the conditions along the river,
20 and there are also circumstances where a ship after
21 leaving port hasn't had time to instal their radio
22 aerial properly and you can't use it and to get people
23 out at night to instal it involves overtime and we try
24 to avoid that as much as possible. Under those circum-
25 stances the signal stations become of importance by
26 giving us -- by showing a signal letting us know the
27 weather conditions along the river.

28 Q. Would you explain to the Commission
29 how signal stations ashore indicate to you the conditions?
30 Do you communicate by radio or is it by visual aids, what



1 ENGLISH

2 is it?

3 A. Well, we do communicate by radio with
4 the Three River Station to find out about the weather
5 conditions in that particular area, but as far as
6 Batiscan, Grondines and St. Nicolas are concerned, I
7 don't believe that those stations are equipped with tele-
8 communications because I have never heard them on the
9 air and the way they transmit -- the way they signal to
10 us the weather conditions along the river is by
11 way of red and white lights at night.

12 ----



1 ENGLISH

2 And by cones and blackballs during the day.

3 Q. You mentioned that you had blind spots
4 in your District as far as telecommunications were con-
5 cerned. Would you mind telling the Commission where
6 you meet such blind spots?

7 A. My personal experience is that between
8 Cap Charles and Cap Sante almost invariably it is very
9 difficult to contact either Three Rivers or Quebec.

10 Q. Is that the only area where you have
11 experienced blind spots?

12 A. Yes. I would say that is about the
13 only part of the river where it is difficult communication,
14 because up above Cap Charles you are getting near Three
15 Rivers and you most always can raise them, or below
16 Cap Sante you, being nearer to Quebec, again you can
17 most always raise them.

18 Q. Have you experienced delays in getting
19 communication with stations ashore? Long delays before
20 you would get an answer to any message which you sent
21 ashore?

22 A. Not exceptionally long delays. I
23 have experienced some delays of maybe twenty minutes or
24 half an hour before being able to raise or contact
25 Quebec or Three Rivers. I believe that the installation
26 of those radio-telephones varies greatly from ship to
27 ship and on certain ships you never have trouble. The
28 equipment seems better or the power supply, I wouldn't
29 know which.

30 On the other hand, on other ships you have



1 ENGLISH

2 a lot of trouble in reaching the station even when
3 you are quite close to it.

4 Q. Are there some particular local rules
5 which you have to look after in your section of the Dis-
6 trict in respect to anchorage or other aspects?

7 A. Yes, there are. Like anchorage signals
8 in daytime in our river or between Victoria Bridge and
9 the limits of the Quebec Pilotage, we have a local
10 rule which is Article 14 I believe.

11 Q. You may refer, if you wish, to a pub-
12 lication called "Department of Transport, Canada, 1962,
13 INFORMATION CONCERNING THE ST. LAWRENCE SHIP CHANNEL
14 FROM FATHER POINT TO MONTREAL."

15 A. It is Article 14 where it says:
16 "A steam vessel when at anchor shall,
17 between sunrise and sunset, carry incits
18 forward part a black ball not less than
19 two feet in diameter at or near the
20 stern. Another such ball, the forward
21 ball, shall be carried at a height above
22 the super-structure or other erections,
23 other than the funnel on the vessel, but
24 in no case less than twenty feet above
25 the hull and the stern or the after bow
26 shall be not less than 16 feet lower than
27 the forward bow. The above signals shall
28 be reversed when the vessel is anchored
29 only by the stern."

30 Q. What is your experience with that



1 ENGLISH

2 particular rule?

3 A. Well my experience is that very few
4 live up to that rule, these strange ships. Unless they
5 are told by the pilots, they comply with the International
6 Rules of the Road which require only one black ball at
7 the forward end.

8 I do make it a point, especially with big
9 ships, if I anchor them in Quebec or Three Rivers of
10 letting them know about this local rule.

11 Q. Has it been your experience that gen-
12 erally skippers would not be aware of those rules?

13 A. I haven't met anyone, although I
14 cannot say that everyone do not know about the rule but
15 I have not met any Master that did not know about this
16 local rule.

17 Q. That did?

18 A. Did not know about this local rule.

19 Q. You mean to say all Masters knew about it?

20 A. I am not trying to say all Masters
21 don't know, but I haven't met anybody that did know.
22 In other instances, we never spoke about it. I couldn't
23 tell you whether they did know or not.

24 Q. I am informed that in your Pilotage
25 Station at Three Rivers there is a board where, theoretic-
26 ally, you should have all the names of the ships coming
27 up or going down. Isn't that the case?

28 A. Yes sir.

29 Q. I am also informed that this board
30 cannot be kept in order at all times by the officers



1 ENGLISH

2 of this Pilot Station. Is that the case also?

3 A. It has been my experience on weekends
4 where they would not have any ship on the down river
5 board. I am told that it is due to the lack of personnel.
6 There is only one man here after a certain time on the
7 weekend and this man cannot take care of that.

8 Q. Is there any real usefulness for such
9 a board or is it purely an informative nature as far as
10 pilotage is concerned and in a way it doesn't make much
11 difference whether you have it on the weekends or not?

12 A. In my estimation it is very very
13 important, because when I board a ship I like to know
14 what is on the river. I would like to know what I am
15 going to meet or what I might overtake or what I might
16 have to communicate with to find out about weather
17 conditions.

18 Q. Now Captain Arcand was asked yesterday
19 whether, in his opinion, there was a difference be-
20 tween piloting a large ship and a small ship on the
21 St. Lawrence River. What is your view in that respect?
22 Is it easier or more difficult to pilot one than the
23 other?

24 A. Well I would say in my personal opinion
25 that a large deep-loaded ship is more difficult to
26 pilot. You have to be more on the alert but there are
27 instances where you can have difficulty even with a small
28 ship.

29 I have had one experience just last week
30 with a small ship called the TRANS STREAM. I was pilot-



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2 ing her up the river under strong wind conditions, strong
3 west, south-west wind, gale force. The ship was draw-
4 ing only about seven feet. Her speed through the water
5 was only about seven knots and there are places coming
6 up the river where I had to allow 20 degrees for leeway,
7 places like in Ste Croix Traverse and one of the places
8 in Champlain Lower Course where I had to allow 14 degrees
9 for leeway and at that particular place I was meeting
10 two ships and in order to keep in the channel and by
11 allowing those 14 degrees for leeway, it meant I was
12 showing them a green light right along. It was at night
13 and it must have looked peculiar to those downbound
14 ships. I imagine those fellows must have asked them-
15 selves where is that fellow going? What course is he
16 steering? But that was a small ship, small draught,
17 low speed, low powered, an oil tanker, gassy and I had
18 to be on the alert even on that little ship to keep
19 in the channel and at the same time keep clear of other
20 traffic.

21 Q. How long did it take you to get to
22 Three Rivers?

23 A. I was 13 hours going with the tide
24 from Quebec to Three Rivers.

25 Q. I don't want to put words in your
26 mouth Captain but I understand from what you say that
27 you could have as much difficulty with the smaller ships
28 as with the large ships?

29 Would that be a fair statement?

30 A. It depends on the weather conditions,



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1 yes. Like on that special trip, if the visibility had
2 been poor, and having to allow so much for leeway, it
3 is. I had to be just as much on the alert on that
4 special small ship that I would have had to be on the
5 large bulk loaded ship and I never forget when I am
6 on a light tanker that I am sitting on, what shall I
7 say, on a gas tank which means that if you ever run
8 into a collision it can have a very serious effect.

9 Q. Which you wouldn't care to have. There
10 was also a proposal made, I don't know if you are aware
11 of it, by the Shipping Federation of Canada to the
12 effect that your District should be divided in two
13 sections and instead of changing pilots at Three
14 Rivers you would change pilots at Sorel. Have you been
15 aware of this proposal?

16 A. Only hearsay.

17 Q. Supposing the hearsay is correct,
18 what is your view in respect to such a proposal as a
19 pilot from the lower section, let us say?

20 A. To tell you frankly, I wouldn't want
21 to change the situation now or at any time. I still
22 believe that a 70 mile pilotage is plenty long enough
23 for any man. We still have slow ships with slow time,
24 as long as ten, twelve, thirteen or even longer to go
25 up from Quebec to Three Rivers, depending on the tide
26 and wind conditions and weather conditions too. There
27 can be occasions where the weather will be bad and
28 you anchor for only a couple of hours and then carry
29 on again for a few miles and anchor again for another hour
30 to wait for conditions to improve and carry on so fin-



1 ENGLISH

2 ally you can be aboard certain ships as long as 15,
3 18 hours.

4 Q. Yes, but could not one say with your
5 anchoring you have kind of rest periods during your trip?

6 A. If I anchor for two hours, I would not
7 call that a rest period even though we are furnished
8 with a room, and everything else, especially at my age,
9 or older people. You will lay down to sleep, but at
10 that age sleep is not just like an electric light.
11 You don't switch it on and off when you feel like it.
12 You may lay down and not be able to sleep for two hours,
13 maybe three hours. You may be under tension due to
14 bad weather conditions and I wouldn't consider those
15 short periods at anchor as rest periods; certainly not
16 in my case.

17 Q. If the pilotage station were to be
18 put at Sorel, what time would it add to your trip, or
19 how many miles would it add to your trip?

20 A. Well on the time factor, in a case like
21 that, of the TRANS STREAM, it would have added another
22 six and a half hours to my trip on top of the thirteen
23 hours and the mileage is roughly 30 miles from Pointe
24 des Ormes.

25 Q. Supposing you have a ship which does
26 not need to anchor on its way, are there some stretches
27 of the river in your District where pilots could more
28 or less leave it to the officer in the wheelhouse,
29 saying now this is an easy course. You can have a try
30 at it for a couple of miles, or anything like that?



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2 A. I never do that personally. I may
3 leave charge to the Master, if he offers it to me. Like
4 some of them do at mealtime. They will come up to the
5 bridge and say, Pilot, if you want to go aft for your
6 lunch, I will take over. This is a good stretch, but
7 I never leave it to the officer.

8 Q. Have you had experience on large ships
9 with Masters who will come and suggest to you that you
10 might have your lunch while there is an easy stretch
11 of the river to do, or is it small ships?

12 A. I have had that experience only once
13 on the CAROL LAKE or Menihok Lake, I forget which,
14 but with Captain Brown, who is now dead. He offered me
15 to relieve me to go aft for my lunch. That was the
16 only time that I have experienced such a thing.

17 Q. Thank you mvery much.

18
19 CROSS-EXAMINATION BY MR. MASON:

20
21 Q. Pilot, Captain Arcand yesterday in-
22 dicated on Chart 1336, I think it is, of the Three
23 Rivers Harbour the position of a bridge which is to be
24 constructed over the river and which bridge, I understand,
25 will restrict navigation to a 1000 foot channel. Now
26 can you tell me whether this bridge in any way will
27 interfere with your operations, if at all?

28 A. If this bridge is built according to
29 the sketch of plans we have been given, you will have 8
30 abutments or supporting piers in the river, leaving a



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2 1000 foot opening, as you say. I am not an engineer,
3 and I don't know much about bridging but I should think
4 that it would be a nuisance, that type of bridge would
5 be a nuisance. On the other hand, if they built one
6 along -- built a bridge with a pier on each shore and
7 left vertical clearance on the whole width of the river,
8 as it is now, it would not make any difference. I
9 must say if they built it according to this sketch that
10 they have given us, it will be a menace to navigation.

11 Q. Will the bridge then interfere with
12 the turning of a vessel if you were to pick up a
13 vessel say at Section 16 I think it is to go down? Will
14 this interfere?

15 A. It will interfere with the swinging
16 of those ships. It will restrict the anchorage
17 area and I should imagine that in late fall and spring -
18 time it will hold an ice jam at that particular place.

19 Q. To your knowledge were the pilots ever
20 consulted as to the design or the location of this
21 bridge?

22 A. I hear say that our Committee was
23 consulted.

24 Q. Would you know of the recommendations
25 they made?

26 A. I don't know.

27 Q. Thank you.

28 COMMISSIONER SMITH: My lord, I would
29 like to ask the witness one question. Captain is there
30 any other location near Three Rivers where a bridge of the



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2 specifications of the proposed bridge could be located
3 without being a menace to navigation?

4 THE WITNESS: I would say, I am not
5 an engineer as I mentioned before, but I would say if
6 they had the bridge down towards the east end of the
7 harbour or down opposite Cap de la Madeleine, it would
8 be less of a nuisance and it would not restrict the
9 navigating channel as much.

10 COMMISSIONER SMITH: But it would
11 still be some menace to the navigation even there?

12 THE WITNESS: Well it all depends
13 whether they have these supporting piers in the deep-
14 water channel or in the shallow water just outside the
15 main channel. If they have the supporting piers in the
16 main channel, it would be a nuisance or a menace.

17 COMMISSIONER SMITH: Thank you
18 Captain.

19 THE WITNESS: You are welcome sir.

20
21 CROSS-EXAMINATION BY MR. BRISSET:

22 Q. Pilot, while we are on the subject of
23 the proposed bridge at Three Rivers, can you tell us
24 what would be the effect of the bridge if it is built
25 where intended on the anchorage area in Three Rivers,
26 the present anchorage area?

27 A. Well I would say that it would restrict
28 the anchorage area by roughly one-third.

29 Q. Has your experience been with increase
30 in the traffic that is noticeable to-day, there are more



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2 and more ships using the anchorage area in Three Rivers
3 waiting for berths, and so forth?

4 A. There are, especially this year. We
5 have had as many as ten ships lying at anchor there
6 waiting for berths. I must say that that particular
7 anchorage area is getting more and more congested right
8 along and under adverse weather conditions, like we have
9 had recently, with all those ships at anchor and that
10 bridge sitting there right in the way, it could have
11 very serious effects.

12 Q. Going back Pilot to the beginning of
13 your evidence when you told us of your experience before
14 becoming a pilot, I want to ask you first whether you
15 attended Rimouski School?

16 A. I have not sir.

17 Q. You told us also that before the War,
18 before becoming an apprentice pilot, you had been master
19 of a ship going up the Richelieu and down the Hudson to
20 New York?

21 A. Yes sir.

22 Q. That was the NEWS CARRIER, I believe?

23 A. Yes sir.

24 Q. I take it that you must have been some-
25 what of a pioneer in this navigation at the time?

26 A. More or less. I was appointed Master
27 only the second year after the company started that
28 run.

29 Q. And you were doing 30 to 40 trips a
30 year?



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2 A. Not that many. Roughly 20 trips per
3 years.

4 Q. And also you have been master of a
5 vessel going the other way, through Lake Ontario and
6 Oswego and canals down to the Hudson to New York?

7 A. Yes, I have sir.

8 Q. In other words, you have used both
9 ways of getting there through the inland waterways?

10 A. Yes sir.

11 Q. How is navigation on the Richelieu?
12 Were the currents rather important to navigation?

13 A. The currents were quite swift in
14 the springtime of the year and of course as the river
15 level dropped, they became a lot weaker toward mid
16 summer.

17 Q. Currents, I take it, would not always
18 be fair with the river?

19 A. Not always, no sir.

20 Q. You had to watch for that all the time,
21 I suppose?

22 A. Yes sir.

23 Q. How about the navigational aids, the
24 buoys and the other aids to navigation on the Richelieu?
25 How were they in those days?

26 A. At first the route was not very well
27 lighted but eventually they improved it a lot by
28 installing lights and buoys in the worst part.

29 Q. Now going the other way through Oswego
30 and down the canals, you would through those years go



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2 through the Lachine Canal?

3 A. Yes sir.

4 Q. And St. Lawrence Canal and then to
5 Morrisburg now and Lake Ontario?

6 A. Yes.

7 Q. You would use, of course, probably
8 the St. Lawrence River Channel above the Lachine Canal
9 and above the St. Lawrence Canal would you?

10 A. Yes sir.

11 Q. Pilot, were you using a pilot in those
12 waters?

13 A. No sir. It was not required to or not
14 compelled to due to small tonnage.

15 Q. Were you using pilots in the St.
16 Lawrence River?

17 A. No sir. Of course those were small
18 ships, small registered tonnage and we weren't compelled
19 to have pilots.

20 ----



1 ENGLISH

2 Q. Pilot, in your experience with the
3 TRANSTREAM that gave you some difficulty not long ago,
4 you told us a particular experience you had when you had
5 to allow some 14 degrees, I take it, for set and drift
6 at a particular spot in the river?

7 A. Yes, sir.

8 Q. Do you recall where this happened,
9 in what particular reach of the river?

10 A. I had to allow 14 degrees for leeway
11 in the Champlain Lower Course.

12 Q. Where would that be?

13 A. From Pointe Citrouille to Champlain --
14 right there, in Course 2462, true.

15 Q. From Champlain to Pointe Citrouille,
16 appearing on Exhibit 445, Chart No. 1335. Pilot, during
17 the course of your evidence you referred to one regulation
18 in particular in the St. Lawrence River Regulations,
19 No. 14 which you read to us and it relates to signals
20 which must be put on a tanker anchored. There are other
21 regulations I would like to direct your attention to
22 and ask you whether they are, in practice, followed on
23 the river. For instance there is regulation No. 12 which
24 says that "a vessel navigating against the current or
25 tide or before meeting another vessel at any sharp
26 turn or narrow passage or where the navigation is intri-
27 cate, stop, and if necessary come to a position of safety
28 below or above the point of danger and there remain
29 until the channel is clear". Is there in your District,
30 and I am thinking of the Three Rivers, Quebec division



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2 particular points where this rule is followed?

3 A. Yes.

4 Q. Could you tell me which ones?

5 A. Yes, under -- with certain ships --
6 we can't generalize this, with heavy deep-loaded ships
7 or bad steering ships we would avoid meeting entering
8 St. Emmelie Course and the Champlain Lower Course and
9 the Benancour bend, also depending on what type of
10 ships you are handling.

11 Q. There are certain curves or sharp
12 bends in your division where in your experience this rule
13 is adhered to?

14 A. Absolutely, sir.

15 Q. Now will you go further up to Rule
16 11 which is the overtaking rule, and it's quite long.
17 I won't read it. You know it?

18 A. I know about it, sir.

19 Q. Is this rule generally followed by
20 ships navigating in your division?

21 A. Yes, sir.

22 Q. In other words will you explained
23 to us how overtaking is done, normally?

24 A. Well, what shall I say, upon hearing
25 another ship going the same way as you, if you are to
26 overtake him, when you are at a distance of about
27 half a mile we give him one long blast which the other
28 ship if he considers it safe and practicable answers
29 by one long blast. While The ship being overtaken at
30 that time will reduce speed and move over toward the



1 port hand of the channel and the overtaking ship will
2 also slow down upon nearing the ship being overtaken and
3 get over on the opposite half or on the starboard hand
4 of the channel.

5 Q. In other words the normal overtaking
6 in the channel is on the inside?

7 A. What do you mean by inside, sir?

8 Q. On the starboard side of the overtaking
9 ship?

10 A. It has been customary, right, sir.

11 Q. Will you go further up...

12 A. There are instances where, as you
13 see from that rule we can do the opposite, where the
14 overtaking ship will take the port side, if the ship
15 being overtaken gives them a special signal which con-
16 sists of a short blast which is to be blown between a
17 minute and two minutes after the original blast is
18 given, which means that I am taking my course to star-
19 board and you may pass me on my port.

20 Q. Now, Pilot, will you go to Rule 7
21 which says:

22 "No vessel drawing 9 feet of water or
23 less and no barge or raft shall, ex-
24 cept in case of accident, stress of
25 weather or force of current use the
26 deep-water channel".

27 Then there is a list of a number of places where these
28 ships should not use the deep-water channel. In your
29 District they have "at or near Port St Francis" and "at
30 or between or near Batiscan and Cap Charles" -- do you



1 ~~ENGLISH~~ practice this

2 find in practice this rule is followed by small vessels?

3 A. It is followed by very few, but the
4 majority of ~~this~~ small traffic generally keep within
5 the deep-water channel, either one side or the other.

6 Q. In other words the rule isn't generally
7 followed?

8 A. No, sir.

9 Q. That is what your evidence indicates?

10 A. Not usually, no, sir.

11 Q. Have reports ~~been~~ made to ~~the~~ Authority
12 in this regard by Pilots who ~~may~~ have noticed these in-
13 fractions?

14 A. I wouldn't know, sir.

15 Q. Have you had occasion yourself to make
16 reports to the Authority?

17 A. I have never reported anybody, sir.

18 Q. To go back to this rule again, can
19 you explain to us what stretch of the river is meant
20 by these words, "at or near Port St Francis" -- what
21 would you understand, as a pilot, is the stretch of water
22 that is covered by these words, and I would ask you to
23 come to the charts, if you will. That would be above
24 your District?

25 A. It is located above our section of the
26 District.

27 Q. Are you ~~in~~ a position to answer the
28 question and tell me about what stretch of the river
29 we should be concerned with?

30 A. Well, at Port St Francis -- this place



1 ENGLISH

2 here, it means small traffic should keep away from the
3 centre line of the channel.

4 Q. Would you with a circle indicate what
5 in your opinion is the area, the portion of the river in
6 which small craft should keep out of the channel?

7 A. Pilots coming up with a deep-loaded
8 ship should keep in above the centre of this deep-water
9 area between buoy 2L and Port St Francis pier light.
10 Small traffic, if it is downbound it can't get out of
11 the channel in that particular area, not any more.
12 The channel has been widened and the bank being very
13 steep, the south bank being very steep, it can't possibly
14 keep out of the main channel completely, otherwise it
15 would be aground.

16 Q. Could you indicate to us the stretch
17 of water in which the small crafts should keep out of
18 the main channel, if there is any at the moment?

19 A. Do you mean that particular area or
20 any area?

21 Q. No, in that particular area which the
22 rule contemplates?

23 A. In that particular area the small
24 crafts, if they wanted to keep outside of the main channel
25 would have to go away towards the north side of the
26 channel, if it wanted to keep out of the deep-water
27 channel.

28 Q. In other words then you would construe
29 the rule mainly meaning that the small craft should pro-
30 ceed to the north side of the river and stay there whether



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2 going upbound or downbound to be out of the way of the
3 larger vessels?

4 A. Providing he keeps out of the main
5 channel completely. If it only goes, if it stays in
6 the deep channel and if it only goes as far as the
7 north bank, I would say the downbound ship would be a
8 hazard under that circumstance. It would be better
9 to keep within the channel and on this side.

10 Q. Well, Pilot, then do you agree with
11 the rule or do you not agree with the rule?

12 A. I agree with the rule in certain
13 parts of the river, but not that particular part anymore.
14 If you look at the old charts before this dredging
15 was done there was sufficient water for a small ship
16 to leave these black buoys on its port hand while down-
17 bound. Since dredging has been done, dredging all the
18 way to the bank, and the bank being very steep, there
19 is not sufficient water for the small boats to get
20 there any more.

21 Q. In other words the rule has not followed
22 the channel development and in your opinion the rule
23 should now be amended?

24 A. Amended, I wouldn't say scratched.

25 Q. In this particular area?

26 A. It should be amended in certain areas,
27 but it should not be scratched altogether.

28 Q. It should be scratched insofar as
29 this particular area is concerned?

30 A. Right.



1 Q. Now, will you go to the next area which
2 is at, between or near Batiscan and Cap Charles?

3 A. That is the one area where small traffic
4 generally keep outside of the channel completely on the
5 other side.

6 Q. Would you indicate this particular
7 area as you understand it as a pilot on Chart No. 445,
8 at, between or near Batiscan and Cap Charles?

9 A. Between Batiscan -- between Pointe
10 Citrouille, as you notice all along from abreast or
11 abeam of Pointe Citrouille, all along as far as
12 Cap Levrard there is a minimum depth of 18 feet. If
13 you get just outside of the buoys, you have more water
14 then at the outside side of the channel, outside line of
15 red buoys. From Levrard down to Cap Charles due to
16 channel improvements that Article should be amended for
17 that area also.

18 Q. It should remain as it is so far as
19 the upper reach is concerned, from Pointe Citrouille ...

20 A. To Cap Levrard.

21 Q. To Cap Levrard?

22 A. Yes, sir.

23 Q. Pilot, during the course of your
24 evidence while you were relating your trip down river
25 on the EMPRESS you have told us about all the points
26 and difficulties of the river. I would like to hear now
27 if it is possible the other side of the medal, and
28 tell us some of the good points as far as navigation
29 is concerned in our River St. Lawrence?

30 A. On an EMPRESS ship?



1 ENGLISH

2 Q. Any ship. Let me lead you: during
3 your years of navigation on the river have you been able
4 to notice that there was continual improvement in the
5 channel, not only as regards dredging and maintenance
6 of it, but also as regards aids to navigation? In
7 other words do you consider that the channel and the aids
8 to navigation therein have been improved since, say,
9 before the last War?

10 A. Yes, your lordship, the channel has
11 been improved and the navigational aids also have been
12 improved but you also must bear in mind that the ships
13 have grown a lot bigger so if you look at it from that
14 point of view there is not much difference with the
15 old days. The channel wasn't as wide or as well marked
16 but the ships were a lot smaller and less draught.
17 Remember in the old days you were taking 28 feet of
18 draught up the river, now, depending on the river level
19 we are taking ships up river drawing over 34 feet.
20 I have had ships there over 34 feet myself.

21 Q. In other words before the War when
22 the channel was only, say, 25 feet you couldn't, of
23 course, take a 35 foot ship up to Montreal?

24 A. No, sir.

25 Q. Speaking of the ships themselves,
26 will you not agree, Captain, that there has also been
27 improvement on board ships in their manner of construct-
28 ion, their equipment and other aids?

29 A. Yes, there has been a big improvement.
30 The ships steer better, handle better, but are also



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2 faster. I must add that it doesn't mean that we don't
3 have to be as much on the alert as we used to be in
4 the old days.

5 Q. I am sure you are, Pilot.

6 A. Speed with ships is just as dangerous
7 as being on the highway with a car, more so.

8 Q. Since you have spoken of cars you will
9 agree in that field also there has been improvement,
10 and technical improvement, of course, is the rule of
11 the day in other domains. You agree with that?

12 A. I do.

13 Q. It has not been your intention, I
14 take it, Pilot to discourage navigation in the St.
15 Lawrence River as a very dangerous river?

16 A. Certainly not, on the contrary.

17 Q. On the contrary you feel that nav-
18 igation should still be developed to a greater extent
19 than it has developed up to this day?

20 A. Yes, and we should also work towards
21 the security factor at the same time.

22 Q. In other words progress is something
23 that doesn't stop suddenly and it is to be assumed that
24 the channel and the aids to navigation therein will
25 also improve with the years following, the same trend
26 that has been followed in the past?

27 A. I presume, yes, sir.

28 Q. Would you feel that under the circum-
29 stances your job as a pilot or your function as a
30 pilot is going to be easier as years go by?



1 A. Possibly, but I can't be assured of
2 that.

3 Q. You have also spoken of winter navig-
4 ation, Pilot. In spite of the special difficulties
5 which winter navigation may present are you in favour
6 of the development of winter navigation in our river?

7 A. Yes, I am, absolutely, sir.

8 Q. In other words you feel that the
9 ships can come up our St. Lawrence even in the wintertime
10 without danger except normal risks?

11 A. Normal conditions, yes.

12 Q. There is also some...

13 A. More so during the middle of the winter
14 than during the springtime.

15 Q. Do you not feel with a good pilot on
16 board it is reasonably safe for the ships to come up
17 during the winter?

18 A. You can take the word "good" out of
19 it, say with a pilot on board.

20 Q. Now, you do state positively, and
21 honestly believe that winter navigation should be en-
22 couraged?

23 A. I do, sir, strongly.

24 Q. And that the ships coming up here
25 in the winter are not really taking a risk which the
26 owner should not take, speaking as a pilot?

27 A. Not excessive risk, no.

28 Q. One other point...

29 A. I would ...

30 Q. Yes?



1 ENGLISH

2 A. The owner wouldn't be taking an
3 excessive risk. He would have to be prepared to encounter
4 delays due to winter and ice conditions.

5 Q. Yes, Pilot, I think this is appreciated.
6 During the winter you can't control the elements and
7 you have to accept that there will be delays, undoubtedly.

8 A. Absolutely, sir.

9 Q. Now, on this subject of winter navig-
10 ation you have told us that normally during the winter
11 you try to navigate during daylight?

12 A. We do.

13 Q. In the spring when the ice is breaking
14 up, I understand that there is a control imposed on the
15 movement of ships by the Department, am I correct?

16 A. Only recently, sir.

17 Q. The ships would be allowed to proceed
18 only at a time fixed by the Authority; is that correct?

19 A. Exactly. I have had that experience
20 this spring. I forget the exact date, but the ship was
21 the HOMERIC which I boarded at Quebec around four o'clock
22 in the morning in heavy ice, drifting ice, and I
23 had orders to wait for an okay from the Department of
24 Transport which came about half an hour later.

25 Q. Well you also have ice-breaker assistance
26 during this period?

27 A. In my experience with winter navigation
28 or early spring navigation lately I have never had
29 ice-breaker assistance.

30 Q. However, are not the ice-breakers



1 ENGLISH

2 available to come to the assistance of ships if need be
3 during that period; during the spring breakup, ice break-
4 up?

5 A. They are not to be available -- if you
6 read the circular letter that has been sent by the
7 Department every fall, saying that ice-breakers are
8 not to be counted upon after a certain date for assistance.

9 Q. Will you give me...

10 A. I have no such circular letter, but
11 they have it in our office.

12 Q. My information is that the ice-breakers
13 are available once the ice starts to move to any ship
14 that may require assistance. Is that your understanding?

15 A. Well, my experience -- I can give you
16 one example. This happened two or three years ago
17 in the fall of the year and the ship was the LOUISBERG.
18 The Pilot left Quebec or boarded the LOUISBERG in Quebec
19 in early afternoon, mid-afternoon and proceeded up
20 river as far as St Nicolas where he encountered snow
21 and had to anchor, and since the navigation aids had
22 been removed they decided to lay there all night and
23 wait for daylight the next day.

24 It happened that I was taking down a ship
25 at the time and I know that I heard this ship on the
26 radio-telephone saying that he required assistance
27 from the ice-breakers because he was dragging his anchor
28 and drifting dangerously close to shore, and finally
29 he got word from Quebec, I heard that on the air, that
30 the ice-breaker wouldn't get out until seven o'clock the



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1 ENGLISH

2 next morning. At that time that ship had dragged his
3 anchor all the way from St. Nicolas to opposite Wolfe's
4 Cove, through the bridge and everything else.

5 ----



RPS 1 English

2 Ended up opposite Wolf's Cove in heavy ice. Captain
3 Williams, who was on board then, certainly was not
4 pleased about it because I had him after that and he
5 mentioned the case to me.

6 MR. JACQUES: Was it December 1960?

7 THE WITNESS: I cannot tell you the date
8 exactly now. It was around about that time. I remember
9 I was taking down an Irish State Line ship.

10 Q. And you wouldn't know Pilot the
11 reason why the icebreaker was not available at that
12 time?

13 A. I don't know. The only thing I
14 know he got word that he couldn't get icebreaker
15 assistance until seven o'clock the next morning.

16 Q. Now Pilot I presume that whether that
17 ship had on board a good pilot, or just a pilot or
18 no pilot at all, she would still have dragged her
19 anchor?

20 A. Yes sir.

21 THE CHAIRMAN: You were downbound at the
22 time were you not?

23 THE WITNESS: Yes sir.

24 THE CHAIRMAN: When you passed in front
25 of Quebec was there an icebreaker there?

26 THE WITNESS: There was an icebreaker
27 alongside, yes sir, the d'IBERVILLE was there. As
28 a matter of fact, I arrived in Quebec that evening
29 and I boarded the SEA TRANSPORT the next morning and
30 everything was arranged for the d'IBERVILLE to escort



1 English

2 the small convoy from Quebec upriver. We left early
3 morning with the d'IBERVILLE escorting us.

4 MR. BRISSET: My lord, I am going to
5 change subject and I have quite a few more questions
6 to ask.

7 THE CHAIRMAN: That is all right, we will
8 now take a small recess.

9
10 ---A SHORT RECESS.

11
12 ---FOLLOWING THE SHORT RECESS:

13
14 CROSS-EXAMINATION BY MR. BRISSET (CONTINUED):

15 Q. Pilot there is one question I
16 forgot to ask you in connection with the interpretation
17 to be given to the Regulation No. 14 of the St. Lawrence
18 River Regulations which indicate what signals ships
19 should put up when at anchor and if you will refer to
20 the latter part of the Regulations you will see these
21 words:

22 "The above signals shall be

23 "reversed when the vessel is anchored

24 "only by the stern."

25 Now I take it that at times you may have
26 both a stern anchor out and also a bow anchor. Have
27 you had this in your experience?

28 A. I have never had that experience sir.

29 Q. You have never had that experience?

30 A. There can be instances where a ship



1 English

2 will have his bow anchor down and be headed upriver
3 and also have the stern anchor down to prevent it from
4 swinging with the tide or the wind. Under these
5 instances I shouldn't think that a ship would have
6 to reverse those signals.

7 Q. In other words, you would interpret
8 the rule as meaning that if there is a bow anchor out,
9 even though there might be also a stern anchor dropped,
10 you would exhibit the same signals as if only the
11 bow anchor was out?

12 A. Providing the ship had the bow
13 towards upriver.

14 Q. In other words, stemming the current?

15 A. Stemming the current.

16 Q. Now Pilot you were good enough to
17 take us down on your ship to Quebec Bridge but you did
18 not go any further and I would like to ask you now
19 if you were asked to dock a ship in the St. Charles
20 River Basin, coming down from Three Rivers -- of
21 course it wouldn't be an Empress -- but any vessel,
22 if you were asked to dock a ship in the St. Charles
23 River Basin would you do it whatever might be the
24 conditions of the tide?

25 A. I would not do it with any ships.
26 I would do it with certain sized ships and certain
27 type of ships.

28 Q. Whatever might be the stage of the
29 tide?

30 A. Whatever might be the stage of the tide.



1 English

2 Q. Now you say you would not do it
3 with certain ships. Which ones would you not take
4 into St. Charles River Basin and at what stage of the
5 tide would you do it?

6 A. I would not take a big heavy
7 loaded ship like, say, for instance a 30,000-ton or
8 20,000-ton tanker, deeply loaded on the flood but,
9 on the other hand, I would take in, say, an eight
10 to ten thousand ton ship drawing 24-feet, modern
11 ship, manoeuvrable, I would take it in there at
12 any stage of the tide with tugs or no tugs.

13 Q. What about berth 25 and berth 26,
14 what would you do there if you were asked to dock a
15 ship at either of these two berths, a ship coming
16 down, of course?

17 A. At 25 I wouldn't go there on the
18 flood with almost anything except very small ships.
19 I would wait for the ebb to proceed to that berth.

20 Q. With or without tugs, would that
21 make any difference?

22 A. Depending on what I am handling.
23 If it is a turbine ship, certain ships are more manoeuvrable
24 than others. These are the modern ships and old
25 ship and light ships and loaded ships. Take a
26 ship lying light going there, easterly wind, have
27 it right on the beam, right on the keel, and if a
28 flood current running at 25, I wouldn't attempt
29 to make that berth under those conditions.

30 Q. However, if the tide was ebbing



1 English

2 you would see no difficulty in taking any ship there?

3 A. I would see no difficulty on the
4 ebb.

5 Q. Well if I may summarize what you
6 have said, on the flood it will only be in a case
7 of certain ships, highly manoeuvrable that you would
8 want to take them in?

9 A. The St. Charles River Basin?

10 Q. Shed 25, 26?

11 A. It would have to be small ships.

12 Q. While you are standing here pilot,
13 there is a question I wanted to ask you about docking
14 a ship at Three Rivers say in the new basin or
15 at berth No. 13. Now if you ---

16 A. Berth 13 is parallel to the River
17 sir. The berths around the basin are 14, 15, 16.

18 Q. You have piloted in the River from
19 Montreal before the District was split?

20 A. I have, yes sir.

21 Q. I should really have asked this
22 question of the previous witness but perhaps you might
23 be able to answer me. Let us assume that you have
24 a ship, a big loaded ship coming downriver and you
25 have to bring her in the basin here, what would be
26 your manoeuvre?

27 A. When you say a big ship, what size
28 ship do you mean exactly? 10,000 tons?

29 Q. Say 10,000 tons. How would you
30 swing around? Would you explain to us your manoeuvre ?



1 English

2 A. To go into section 16?

3 Q. Yes?

4 A. I would either turn opposite section
5 20 using the port anchor and after my ship had been
6 turned, I would heave up that anchor, let her drift
7 down a little bit, and then proceed towards the entrance
8 of the basin and let my starboard anchor go as I
9 am going in and ease her in there dragging an anchor.

10 Q. Now are there any berths in the
11 Harbour of Three Rivers which are above the north
12 limit of the prohibited anchorage?

13 A. Yes, there are. There is section
14 20 and wood boom opposite Dom Tar paper mill.

15 Q. Now to come to section 20 with a
16 similar ship as the one we have spoken of, you
17 would have to swing her around using an anchor again
18 would you?

19 A. Depending on the ship, although I
20 forgot to mention that I could also, if there was
21 traffic coming up and if I was to meet it about the
22 time I was going to attempt to turn my ship,
23 under those conditions I would proceed downriver and
24 turn on port wheel opposite buoy 53C and then proceed
25 up the harbour through the north channel and towards
26 the berth.

27 Q. Now would you have to use your
28 anchor coming into the berth?

29 A. At shed 20?

30 Q. With a loaded ship?



1 English

2 Q. Yes?

3 A. Normal conditions? Absolutely not.

4 Q. If there is no traffic coming up
5 where would you swing with your ship to bring her
6 into section 20?

7 A. No traffic? I would turn her
8 opposite the grain elevator or when I am abeam of
9 section 20, depending on the stage of the tide because
10 I have mentioned in my testimony yesterday that
11 on the spring tide and at this time of the year the
12 current can run up, especially along the quay at those
13 positions which, if I was to dock that ship under
14 those conditions with the tide running up, then I
15 would drag an anchor to ease her into the berth
16 because I would be going with the current.

17 Q. Now there is in that particular
18 locality a prohibited anchorage which has been so
19 declared, I understand, because there are some marine
20 telephone cables in this area. Are you aware of this?

21 A. I am sir.

22 Q. As far as your experience is
23 concerned, or as far as the experience of other pilots
24 that you may have heard about is concerned, has there
25 been any difficulty in accomplishing your work in the
26 Harbour because of the presence of these cables?

27 A. Personally I have never had difficulty.
28 I know of ships, or a ship that has had trouble in that
29 area which is about abeam Dom Tar paper mills, due
30 to engine trouble and where they had to let the anchor



1 English

2 go in a hurry to prevent it from going ashore.

3 Q. As far as normal manoeuvres to
4 dock in that locality, from the point of view of the
5 pilot's work, are you in a position to say whether
6 or not these cables are obstructions to navigation?

7 A. I must say that in my personal
8 opinion underwater cables going across any waterway
9 is an obstruction and I should say an outdated way
10 of getting power or telephone cable across a waterway.

11 Q. Particularly in a busy harbour
12 where you have to dock ships where at times you may
13 have to use your anchor either because of emergency
14 or otherwise I would think?

15 A. Principally under these circumstances.

16 Q. I want to refer you to one part
17 of your evidence in which you explained to us that
18 since the channel has been widened in the reach, in
19 the vicinity of St. Augustine Shoal, the dotted
20 line which indicates the centre of the channel, or
21 the alignment of the range lights don't actually show
22 what you consider to be the true centre of the channel.
23 You recall your evidence in this regard?

24 A. Yes, I do.

25 Q. Now coming out of this particular
26 reach downbound, you will notice that in the vicinity
27 of buoy 15Q, the river, insofar as the navigable part
28 of it is concerned, widens considerably to the south.
29 In other words, there is much more navigable water,
30 deep water to the south than there is to the north?



1 English

2 A. Right sir.

3 Q. Have I understood your evidence
4 correctly in thinking in your opinion that in this
5 particular stretch, what you call the centre of the
6 River is considerably more to the south than the
7 centre line appearing on the chart?

8 A. When you say "considerably" I
9 am not ready to admit that but if you say five, couple
10 of hundred yards or a hundred yards to the south of
11 the dotted line which indicates the alignment to
12 Pointe Basile range, you would be in a better position
13 than if you were on the dotted line.

14 Q. Does that mean to say that a vessel
15 coming down through the dredged channel at St. August-
16 in's shoal must change course to the south coming out
17 of the shoal area in order to keep to her righthand
18 side of the channel?

19 A. If you are taking a ship, a deep
20 loaded ship in that area, upon reaching buoy 15Q,
21 you would not have to change course. The set alone
22 would open up that alignment enough to get you into
23 a fine position, considering the water in that area.

24 Q. In other words, the set of the
25 current would by itself bring you somewhat to the
26 southwards and keep you within your righthand side
27 of the navigable part of the river?

28 A. Normally, yes sir, on ebbside.

29 Q. What about flood?

30 A. Flood is a different effect, an



1 English)

2 opposite effect in that area. That is from St. Nicholas
3 Church to just above buoy 15Q the ebb sets you to the
4 south and the flood sets you to the northwest.

5 Q. Now all through your District Pilot
6 there are charts, of course, issued by the Canadian
7 Hydrographic Service on which there appears a dotted
8 line which is described as the centre line of the
9 channel. I have understood from your evidence that
10 you do not agree with the placing of this line, where
11 it has been placed and particularly on chart No. 1321
12 and even on chart 1333 as indicating really what
13 should be considered as the centre line of the channel.
14 Have I understood you correctly?

15 A. Yes.

16 Q. In other words, to give an illustration,
17 on chart 1321 in the vicinity of Pointe Puiseaux, the
18 centre line of the channel appearing on this chart
19 is considerably more to the northwest than would be
20 the centre of the River even its navigable part?

21 A. Yes. Pilots more or less consider
22 that dotted line as a clearing mark for the north bank.
23 You have got the clearing mark marked right along
24 here and I know when I passed my examination as a
25 pilot I was specifically asked that question: what
26 is the clearing mark for Fly Bank and this is the mark
27 that I have given and that we were taught to give
28 which is Pointe Puiseaux in line with the extreme of Orleans
Island to Levis. Amongst our group that dotted line was
29 always considered more or less as a clearing mark of
30



1 English

2 Fly Bank.

3 Q. And not really as indicating the
4 centre line of the navigable channel?

5 A. It never was understood so by our
6 pilots.

7 Q. Now you are aware, of course I am
8 sure pilot of the rule which says that in a narrow
9 channel each vessel must keep to its own side
10 or starboard side of mid-channel?

11 A. Right sir, I am.

12 Q. In applying this rule, I take it
13 from your evidence Pilot that you would not rely on
14 the pecked line indicating the centre of the channel
15 on the chart issued by the Hydrographic Service as
16 indicating truly the mid-channel line so that you would
17 be in your water say coming down if you kept simply
18 to the south of that pecked line in the vicinity
19 of Sillery?

20 A. I would not navigate my ship along
21 that line especially if I was downbound.

22 Q. Now do you not agree that this may
23 be somewhat confusing for navigators who rely on
24 these charts and the information given by the Hydro-
25 graphic Service to determine what is really the
26 centre line of the channel?

27 A. I should think that for strangers
28 it would be a source of confusion.

29 Q. In other words, a seaman or master
30 coming here and relying on these charts, particularly



1 English

2 seeing the mid-channel line indicated thereon, might
3 be inclined to rely on this information?

4 A. Might be inclined, yes, although
5 I would say that an efficient ship master would see
6 from looking at the chart, and if he was downbound
7 and if he would see that if he followed this pecked
8 line, which is marked centre line of the ship channel,
9 would again see right away that he would be in the
10 way of oncoming traffic.

11 Q. Unless the oncoming traffic kept
12 to the north of that line, or vice-versa?

13 A. Well if he wasn't in the way of
14 that oncoming traffic, he would certainly be crowding
15 it.

16 Q. You no doubt are aware, even though
17 you may not have been involved yourself Pilot, that
18 there has been quite a number of collisions between
19 ships in the River St. Lawrence and particularly
20 between Three Rivers and Québec in the past years?

21 A. Do you think so?

22 Q. You are aware that there have been
23 collisions?

24 A. I am aware that collisions have
25 happened.

26 Q. You are aware, I assume, that in
27 most cases the issue turns upon who was on his right
28 side and who was on his wrong side?

29 A. Yes sir. From hearsay I am aware
30 of that.



English

Q. Are you aware that there are divergence of opinion between pilots as to the meaning of this centre line as indicated on the chart?

A. I was not aware of that but I believe your statement. We are all human beings. We can differ in our opinions.

Q. The least we can say is that there may be some reasons for difference of opinion as to where the centre line of the channel lies, in the light of the information contained on the chart issued by the Canadian Hydrographic Service?

A. Yes sir.

Q. Have you had occasion to navigate ships in other parts of the world in rivers? For instance, on the River Thames in England?

A. I have never been on the Thames.

Q. Have you ever had occasion to consult charts of the River Thames, for instance?

A. I am afraid not sir.

Q. My lord, I would like to file at this stage a chart numbered 2484 which is the general chart of the River Thames from London to Thames Haven issued by the Port of London Authority.

---EXHIBIT NO. 770:

Chart No. 2484, general chart of the River Thames from London to Thames Haven issued by the London Authority.

Q. Now even though you are not familiar



1 English

2 with the River Thames, I am sure pilot that you can
3 follow the chart that is before you. You will notice
4 that the channel in the River Thames is indicated
5 on this chart by two pecked lines with the buoys
6 along the channel in most cases quite close to this
7 pecked line or just on the pecked line on either
8 side.

9 A. Like a fence on each side of the
10 channel.

11 Q. Yes. Would you agree with me Pilot
12 that in certain parts of the River the pecked lines
13 are not exactly placing the channel or navigable
14 channel really in the centre of the navigable waters
15 of the River? For instance, in the vicinity of
16 Powder Bank and the curve at Oven's Flat?

17 A. What is the limiting draught in the
18 Thames River?

19 Q. I would take it as about five
20 fathoms.

21 A. You have a three-fathom spot right
22 here (indicating).
23
24
25
26
27
28
29
30

--

--



English

RPS 1 You couldn't possibly move that very
2 much further without getting out of the water...

3 Q. If you go to Ovens Flat you will
4 see on the righthand side the navigable ~~portion~~ of the
5 River would be considerably wider to the ~~right~~?

6 A. By Ovens Flat -- I can see soundings
7 there, 5.6 fathoms, but also a little curve here
8 takes in part of the deep water inside of the pecked
9 line which probably means that there isn't the water
10 there that the limiting draught calls for.

11 Q. At all events, Pilot, the chart
12 speaks for itself, but the question I was leading
13 to was this one: would you think there would be
14 an advantage insofar as making charts for the River
15 to indicate what is actually the navigable channel,
16 the channel which should be used by ships in the
17 same manner as is done on the charts of the River
18 Thames?

19 A. I admit that would be an improvement.

20 Q. It would avoid this confusion we
21 have been speaking of earlier.

22 A. Mainly for the commoners or
23 strangers it would indicate to them more exactly where
24 the channel lies.

25 Q. Even though at times . . .

26 A. It would be more defined.

27 Q. Even if at times, even if they
28 went out of the channel you might have enough water
29 for a deep laden ship?

30 A. At certain places.



1 English

2 Q. Even in those cases if the charts
3 indicated what is the channel ships would have to
4 stay in that channel?

5 A. Right, sir.

6 Q. And it would be possible or easier
7 for navigators to know on what side, what portion of
8 the channel is theirs?

9 A. Right, sir.

10 Q. You will agree?

11 A. I agree with that, sir.

12 Q. Now, Pilot, you have indicated to
13 us that you weren't in agreement with the thought
14 that in this changing world and the developments
15 in navigation and so forth the relief of the River
16 Pilots really should not be made at Sorel. You have
17 indicated to illustrate your point that in the case
18 of the TRANS STREAM it would have taken you another
19 four hours over and above the 16 hours it took you
20 to proceed from Three Rivers to Quebec.

21 A. May I correct you in your figures.
22 I was 13 hours coming from Quebec to Three Rivers.
23 I would have been another 6-1/2 hours going from Three
24 Rivers to Sorel.

25 Q. I am sorry, my figures were wrong.
26 Would you agree nevertheless, Pilot, that this particular
27 voyage with the TRANS STREAM was a bit out of the
28 ordinary?

29 A. I will agree with that, yes, sir.

30 Q. Take your Empress ship or your Cunard



1 English

2 ships you have taken down from Three Rivers to Quebec
3 often, what is your average time for this trip and
4 under normal conditions?

5 A. Upbound it can vary between four
6 hours and 45 minutes and 5-1/2 hours depending on the
7 tide only.

8 Q. And downbound?

9 A. Downbound it is 3 hours and 45 minutes
10 from Pointe Laroche to Sillery wharf going with the
11 tide. It would be 20 minutes longer stemming the
12 flood.

13 Q. These ships going at half speed
14 average, I think you told us, about 16 knots?

15 A. Roughly 16 knots, at half speed or
16 90 revs.

17 Q. Going from Three Rivers to Sorel
18 either upbound or downbound would mean a little less
19 than two hours in time to cover the distance normally?

20 A. Roughly, yes.

21 Q. That would give you a stay on the
22 bridge of perhaps six hours?

23 A. Yes sir. That is in normal
24 conditions, but the last Empress ship to come up the River
25 which was the Empress of England left Quebec late
26 evening or early evening, proceeded upriver just
27 below Grondines and had to anchor in the fog. It
28 laid there -- I can't tell you how long it laid there,
29 but it laid there most of the night and while laying
30 at anchor in that particular position the pilot had to



1 English

2 stay on duty right along because at that spot when
3 the tide turned the ship swung around. He had to
4 be there on the bridge to look after the ship which
5 extended the length of his trip by possibly six, seven
6 or maybe eight hours.

7 Q. Fog is one of the vicissitudes of
8 your trade, isn't it?

9 A. Yes, a little too common also.

10 Q. And you may encounter it anyplace
11 in the River?

12 A. Yes, sir.

13 Q. Under normal conditions-I think
14 our rules must be based on normal conditions?

15 A. I wouldn't say normal, let us say
16 average, Mr. Brisset, because conditions are far
17 from being normal all the time, so I think we should
18 look at this concerned with average conditions.

19 Q. Under average conditions the
20 extension of your trip to Sorel would be another
21 two hours?

22 A. Under normal conditions.

23 Q. Do you agree with me that particularly
24 since the beginning of the 1950's the trend has
25 been to find that the speed of ships has been increased
26 and increased considerably compared to what their
27 speed was before the war?

28 A. I do agree with that, sir.

29 Q. Do you agree also that the type of
30 ships built during the war, the Parks ships or



1 English

2 LIBERTY ships who were doing 10 knots have to a great
3 extent disappeared now?

4 A. I do agree on that, sir.

5 Q. And that the average speed of the
6 ship that exists, coming up our River may be more in
7 the order of 14, 15 knots nowadays?

8 A. That isn't my opinion, sir.

9 Q. Well, what is your opinion?

10 A. Well, I would say it would be
11 nearer 12 knots.

12 Q. As compared to what years ago?

13 A. As compared to 9 knots years ago.

14 Q. Let us take the upper lakers that
15 have been coming downriver since the opening of the
16 Seaway. What is their average speed?

17 A. You mean the average amongst them
18 all?

19 Q. Amongst them all.

20 A. Oh, I would say -- you mean modern
21 upper lakers?

22 Q. The modern upper lakers.

23 A. The modern upper lakers, I would
24 say their average speed is 11-1/2, 12 knots, although
25 some will go along 14 knots. We also have modern
26 upper lakers like the Upper Lake ships, for instance
27 like the JAMES NORRIS, the GORDON C. LEICH which go
28 no more than 11 knots.

29 Q. I have in mind those like the MURRAY BAY,
30 T.R. MacLAGAN, the CANADOCK -- those in that class?



1 English

2 A. Those ships have the power to make
3 speed in open waters, but in my opinion most of those
4 masters must have had a hair-raising experience in
5 narrow waters because they are not making the same
6 speed as they did when they first came down our River.
7 They are going a little faster than manoeuvring speed
8 but they are not using their whole sea speed.

9 Q. Of the passenger ships of the class
10 of the Empress, for instance, which are all ships that
11 are quite fast, with about 16 knots at half speed - -
12 the Empress, the Cunard?

13 A. Yes.

14 Q. Now what about lake traders, the
15 modern ships, the Manchester Lines, the Swedish ships
16 that come here, they are also 16, 17 knots?

17 A. There is not too many 16-knot-ers
18 amongst the Manchester Liners. Besides the new
19 MANCHESTER COMMERCE which I have never been aboard,
20 but which I estimate must be a fast ship, and the
21 MANCHESTER MILLER you have the other type, the older
22 type Manchester Liner like the MANCHESTER CITY, for
23 instance, which can hardly go over 12 knots, the
24 MANCHESTER FLAME roughly around 13 knots. That is
25 river speed. They can go faster than that in open
26 waters, but in restricted waters I believe they have
27 an understanding with the engineers they are not
28 to use any more than a certain speed. That is my
29 opinion.

30 Q. Well, the only point I wanted to



1 English

2 make with you, Captain, is that there are of course,
3 still old ship on the River?

4 A. Yes, there are faster ships and heavier
5 ships.

6 Q. But all the new ships coming into
7 service of which they are quite a few during the last
8 few years, are all practically, as I recall, fast
9 vessels?

10 A. I will admit that, but you can't
11 use that speed in the River. You will always be
12 slowing down for dredges, or slowing down to overtake
13 ships or to meet ships. You can encounter all sorts
14 of delays in taking a ship upriver. When you say
15 you are boarding a 16-knot ship, you can't figure
16 on an average 16 knots for the whole trip. I mean,
17 you are navigating in restricted waters and there
18 are lots of places where we must slow down like going
19 through harbours, Quebec Harbour, Three Rivers Harbour,
20 the dredged area at Cap a la Roche, and overtaking
21 like we have tugs, towing these pulpwood barges
22 between Batiscan and Three Rivers the best part of
23 the summer and you can't pass them at anything
24 like full speed with those fast ships. You encounter
25 all kinds of delays.

26 Q. In other words what you are saying,
27 you have the speed but you can't always use it?

28 A. Exactly.

29 Q. Since you had a destroyers, one
30 of which had a collision a few years ago that could



1 English

2 do 36 knots, but they certainly weren't proceeding at
3 that speed.

4 A. That is a case, sir. As I mentioned
5 this morning or yesterday you must be very careful
6 with these big ships because speed can be just as
7 dangerous or more so with ships in our River as
8 speeding on a highway.

9 MR. BRISSET: I might add she was doing
10 at least 22 knots at the time.

11
12 CROSS-EXAMINATION BY MR. JACQUES:

13
14 Q. Captain, would you turn to the
15 Three Rivers chart, please. On this chart you indicated
16 that one of the ranges didn't indicate the centre
17 of the channel; is that correct?

18 A. Yes, in the lower half of Three
19 Rivers Harbour on the BecanCourte Traverse Range.

20 Q. Does that appear on the chart?

21 A. It does, sir. You see the pecked
22 line which indicates the alignment of the lights
23 runs diagonally to the main channel.

24 Q. I believe there is also a pecked
25 line indicating the side of the channel; is that
26 correct?

27 A. Yes, sir.

28 Q. So, I take it then any navigator
29 coming up or down this area would be able to know that
30 from the chart?



1 English

2 A. Yes, an efficient navigator would
3 notice that from the chart.

4 Q. If a stranger were to steam up or
5 downbound the St. Lawrence would you consider it
6 proper to look at the chart before steaming down?

7 A. I certainly would.

8 Q. Would you turn then to Exhibit 443
9 and tell me whether the St. Augustine ranges are
10 shown as being out of line with the centre of the
11 channel, the dredged channel?

12 A. It is. The pecked line which
13 indicated the alignment for St. Augustine course
14 is definitely shown off centre on this chart.

15 Q. Now, sir, you have indicated various
16 currents on charts which have been filed as Exhibits
17 442 to 445. Would you tell the Commission how you
18 ascertained these currents?

19 A. I don't quite get you, sir.

20 Q. How do you know there is a current
21 going in that direction at that particular place?

22 A. Well, through experience.

23 Q. Experience.

24 A. And there are a few places where
25 these currents are indicated on the chart, in a few
26 places.

27 Q. We should limit ourselves to places
28 where it is not indicated on the chart.

29 A. Well, that is the experience, or
30 a professional secret, you may call it.



1 English

2 Q. Professional secret. How did you
3 ascertain the direction of the current?

4 A. From practice.

5 Q. Did you employ any measuring
6 instruments of any kind?

7 A. No, sir.

8 Q. When you refer to current I take
9 it you refer to surface current?

10 A. Well, probably so. It is pretty
11 hard for me to answer that without testing those
12 currents with an instrument. I can only test those
13 currents from the effect on my ship. Whether it
14 is a surface current or a bottom current . . .

15 Q. You couldn't know.

16 A. I couldn't know.

17 Q. Now, how did you ascertain the
18 direction of currents?

19 A. How did I ascertain that?

20 Q. Yes.

21 A. From experience, through practice.

22 Q. Yes, but how do you know the
23 current is across your bow?

24 A. I do know from the effect it has
25 on my ship. If I am steering a straight course and
26 the first thing I notice my ship is moving to one
27 side of the alignment, and then moves back to the
28 other side after a while, this is due to currents,
29 sets.

30 Q. Let us come back to the first part



1 English

2 of your answer. You set your ship on course, on a
3 set of ranges?

4 A. Yes, sir.

5 Q. You say your ships moves to, let
6 us say starboard?

7 A. Yes.

8 Q. What would you say the direction
9 of the current would be then?

10 A. I would say that the direction of
11 the current would be toward the starboard side of the
12 channel.

13 Q. Would it be at four points on port
14 bow or abeam or four points on your quarter?

15 A. That is difficult for me to say.
16 I can only point out where this effect is felt stronger
17 or weaker in different places, but to tell you the
18 exact direction at each stage of the tide, I couldn't
19 tell you that.

20 Q. I refer you to Exhibit 445. You
21 have indicated two different currents off Batture
22 du Cap a la Roche. The first arrow is pointing to . . .

23 A. Northeast, towards the northeast.

24 Q. Buoy 90Q is in a northeasterly
25 direction?

26 A. That is right.

27 Q. And the next arrow to the right
28 pointing to buoy 85Q is in a southeasterly direction?

29 A. On ebb tide.

30 Q. Is that correct, am I reading the



1 English

2 chart information right?

3 A. Yes.

4 Q. Now, how did you ascertain that the
5 current was first in a northeasterly direction and
6 then in a southeasterly direction, or could it be
7 that the first arrow the current would set your
8 ship generally to the north and then the next arrow
9 your ship would set generally to the south ?

10 A. That is it.

11 Q. That is it more than the exact
12 direction?

13 A. Yes. When I marked these angles
14 on these charts it was only to give you an idea of
15 the way the current was setting. I didn't use
16 a parallel rule to give you the exact direction, the
17 general direction of the set.

18 Q. Of your ship?

19 A. Of the ship, of the current.

20 Q. Do you make observations of currents
21 regularly in the course of your duties?

22 A. Well, I do it automatically. Taking
23 a ship downriver, like in this area, let us take
24 Cape Charles as an example, even a layman -- a
25 man that didn't know anything about piloting of the
26 River, if he was aboard the ship and was making this
27 bend, and intelligent man would notice this set without
28 me telling him. If I pointed it out to him, I would
29 say do you notice anything here -- an intelligent
30 man would know it sets towards the south bank so
strongly it is easily noticeable.



1 English

2 Q. And I take it then that this
3 information, which you read on the chart, would be
4 the result of your general experience in applying
5 the set to your course?

6 A. Yes sir.

7 Q. Do you have ranges showing the
8 course in half degrees here?

9 A. We do, especially on the channel
10 course.

11 Q. Do you steer half degrees?

12 A. No sir. We have coming along that
13 course, going up against the tide in that mile and a
14 half stretch, if you want to hold your ship on the
15 centre line which is indicated on this chart, you
16 would have to alter course about four times and you
17 would have to alter so many degrees depending on the
18 size of your ship and the speed of the ship and
19 the velocity of the current.

20 MR. LALONDE: Which mile and a half on which
21 chart please?

22 MR. JACQUES: Exhibit 445 between ---

23 A. Buoy 71Q and 76Q going along
24 Grondines channel.

25 Q. So you would allow so many degrees
26 which you would apply to the course?

27 A. If you want to hold your ship or
28 if you want to hold alignment in line or keep your
29 ship in mid-channel invariably going against the tide
30 you would have to alter course so many degrees,



1 English

2 depending on the size of the ship.

3 Q. Now do you always hit the correct
4 number of degrees to apply to counteract current?

5 A. Well never very far out. I mean
6 those courses are short.

7 Q. Would it be out about two degrees?

8 A. You hold course, you change course
9 two degrees for three hundred yards to allow for a
10 set, you can't be very far out at the end of three
11 hundred yards.

12 Q. You could be out two degrees?

13 A. Not that much.

14 Q. A degree?

15 A. A degree or maybe half a degree.

16 Q. You would take into account wind
17 also?

18 A. Wind, yes.

19 Q. Wind would affect the ship?

20 A. Yes.

21 Q. You would allow so many degrees
22 to counteract the effect of the wind?

23 A. Also.

24 Q. Since you have been a pilot, how
25 many trips have you made during the winter navigation
26 period which I think is 8th of December until 15th
27 of April?

28 A. The winter season presently is
29 considered from December 1st until April 8th.

30 Q. How many trips have you made in that



1 English
2 period?

3 A. In December early, the first half
4 of December I have made quite a few trips but I
5 cannot tell you just offhand and the same applies for
6 early April but between those two periods I have
7 only had one trip, and that is on the 23rd of January
8 last year.

9 Q. Thank you sir.

10 A. You are welcome sir.

11
12 RE-DIRECT EXAMINATION BY MR. LALONDE:

13
14 Q. Captain Bernier could you tell me
15 what draught the ~~NEWSCARRIER~~ had when you used to take
16 her without a pilot on the River?

17 A. 6 feet 6, maximum.

18 Q. What net tonnage would that be,
19 approximately?

20 A. I don't recall her net tonnage but
21 her dead weight cargo capacity was 210 tons.

22 Q. You have mentioned that there was
23 a substantial increase in the number of ships ever
24 since the end of the war on the St. Lawrence River.
25 Have you mentioned this factor? I think I heard you
26 mention it.

27 A. I may. I don't recall sir.

28 Q. Is that a fact?

29 A. There is a substantial increase
30 in traffic since the war.



1 English

2 Q. Has there been any increase in night
3 navigation lately?

4 A. Yes.

5 Q. To your knowledge?

6 A. Yes, there has been a large increase
7 in night navigation, especially downbound.

8 Q. Can you tell the Commission what
9 the situation was when you became a pilot let us say
10 1948 compared with the present time as to night
11 navigation? Would you be in a position to make some
12 kind of a rough comparison?

13 A. Yes, I believe I am in a position
14 to compare. I became a pilot in the spring of 1948
15 and I was appointed special pilot for Shipping Limited
16 in 1950, early summer I believe. While working for
17 Shipping Limited, we handled a lot of tankers which
18 were not as big as they are today but which ran between
19 fourteen and twenty-two thousand tons. Well it was
20 customary, or we made it a habit of not leaving in
21 the middle of the night with those ships. If the
22 ship finished discharging like say at darkness, or
23 after darkness, we never sailed until the next
24 morning. We had some sort of an agreement with our
25 employer that if the ship could sail two hours before
26 darkness, we did sail but later than that there was
27 never any question asked. If the ship was not ready
28 to sail by the time darkness came, sailing was put
29 back to daylight, the next morning.

30 Q. So you have approximately the same



1 English

2 situation at the present time or is it different?

3 A. Well it's different in my case
4 because now we are not taking ships away from the
5 berths. We board them at Three Rivers as they arrive.
6 We haven't any say as far as the departure is concerned.

7 Q. To your knowledge as to departure
8 from Montreal, do you have any knowledge as to
9 departure in Montreal with tankers, for instance?
10 Do they still wait for the next morning or do they
11 sail at any time of the night?

12 A. I think a lot of them sail at any
13 time of the night, any size ships. Most of them
14 sail when they are ready.

15 Q. My friend, Mr. Brisset, questioned
16 you about the increase in speed of vessels. To your
17 experience does the increase in speed, does that
18 have disadvantages comparatively to the advantage of
19 making the trip faster in a shorter length of time?

20 A. I will say that the increase in
21 speed and in size of the ship does bring a certain
22 tension on a man, especially at night and in heavy
23 traffic. We must be more alert and personally in
24 heavy traffic I use the radar a lot, even in clear
25 weather to check distance of traffic ahead of me,
26 traffic going both ways.

27 Q. As to taking ships to St. Charles
28 River and sheds 25, 26 in Quebec Harbour, I think you
29 mentioned a certain number of factors. I would like
30 to know whether wind has effect in your decision?



1 English

2 Is there any type of wind which will alter your
3 decision to take a ship in or not?

4 A. Wind is a factor to be considered,
5 but mainly tide.

6 Q. What kind of wind are you going
7 to take into consideration especially?

8 A. Well easterly wind is a bad wind
9 if you are going to those berths in St. Charles River
10 Basin. You would have it right on the beam and if
11 your ship is light.

12 Q. Have you had experience yourself
13 with the wind preventing you from going into these
14 particular spots in Quebec Harbour?

15 A. I don't recall having had that
16 experience myself sir.

17 Q. You mentioned tugs and tows on the
18 St. Lawrence River. Do these tugs and tows travel
19 also at night?

20 A. They do a lot.

21 Q. And what is your view with regard
22 to this practice?

23 A. Well it depends on the type of tow.
24 If it is a heavy tow, not too powerful a tug, then
25 it becomes a hazard to other traffic. You can have
26 small tows that will go along seven, eight knots,
27 big powerful tugs which are no inconvenience but
28 in the case of these larger tows which do not steer
29 too well, it can be a serious hazard to navigation.

30 Q. Do these tugs and tows create particular



1 English

2 difficulties by night?

3 A. Mainly by night.

4 Q. How is that?

5 A. Well it isn't the same navigating
6 the river by night as by daylight, you know. There
7 are a lot of markers along our channels which are
8 unlighted markers and which you can see in daylight
9 and cannot see in the dark. Like these spar buoys,
10 conicals and can buoys, well they are as an aid
11 to navigation but if you are going down with a tow
12 during the night and cannot see them, then they are
13 not much of an aid. They are more of a nuisance.
14 Always afraid of going over them and getting it
15 caught in your wheel while if you were proceeding
16 downriver with such a tow with the daylight, it should
17 be must safer because the person on the tow could
18 easily keep on their side, more easily get out of
19 the way.

20 Q. Thank you.

21
22 CROSS-EXAMINATION BY MR. MASON:

23
24 Q. You mentioned that the draught of
25 the NEWSCARRIER was some 6-1/2 feet. Were you ever
26 piloting larger vessels on the River without a pilot
27 in your career?

28 A. On the St. Lawrence River?

29 Q. On the St. Lawrence River before you
30 were a pilot?



English

A. The other boat of the same company was a little larger.

Q. What was the name of that?

A. Donnocona No. 2.

Q. And how much water would she draw ?

A. About ten feet.

Q. And you mentioned also the CAROL LAKE and her master Captain Brown. He would have considerable experience on the River would he not?

A. I expect he would, yes. Although I didn't know Captain Brown too intimately.

Q. You didn't know him that well.

THE CHAIRMAN: Coming back to that question of the centre line, allow me a layman's question. I have noticed on the charts that the centre line is generally in line with your range lights. The centre line very often, for instance I have one in front of me here which is in Quebec-St. Augustine chart, I can see there the range lights are at Point a Basile and when you line those two range lights up, you are just with the centre line.

THE WITNESS: But effectively you are not your lordship.

THE CHAIRMAN: I mean the pecked line, you are on the pecked line aren't you?

THE WITNESS: The pecked line does not show the exact centre line of the channel over St. Augustine bar; not from the exhibit we have here and not effectively.



1 English

2 THE CHAIRMAN: I mean the line there,
3 that is the pecked line as well as the centre line
4 will be in line with the range lights?

5 THE WITNESS: It is, yes. This pecked
6 line indicates the alignment but this pecked line
7 does not run through ---

8 THE CHAIRMAN: I know but what I mean
9 that if you follow what is the centre line there,
10 you are in line with your range lights?

11 THE WITNESS: Yes your lordship.

12 THE CHAIRMAN: So therefore, if you follow
13 say the pecked line and your range lights, you are
14 right in the middle or right on that line?

15 THE WITNESS: Right on that line.

2 16 THE CHAIRMAN: Which, apparently according
17 to the rule of the road, you are not supposed to
18 follow?

19 THE WITNESS: Not if I am downbound
20 your lordship.

21 THE CHAIRMAN: You are obliged to stay
22 on either side of this?

23 THE WITNESS: Right.

24 THE CHAIRMAN: You are not supposed to
25 navigate on that line?

26 THE WITNESS: Unless you are alone. I
27 mean there are instances your lordship like Mr.
28 Arcand mentioned yesterday the case like the
29 Empress ships where if you do not keep your ship
30 exactly in the mid-channel, she will handle badly



1 English

2 due to shallow water here and there outside of the
3 channel. You would do best to keep her right dead
4 on that centre line. It will make the job much easier
5 for the pilot and for the helmsman.

6 THE CHAIRMAN: As a matter of fact, when
7 you keep your range lights in line then both upbound
8 ships and downbound ships are navigating on the same
9 line?

10 THE WITNESS: Yes. Then in those
11 circumstances naturally we have to go off that centre
12 line.

13 THE CHAIRMAN: When you meet.

14 THE WITNESS: When we meet.

15 THE CHAIRMAN: Or when overtaken?

16 THE WITNESS: Or when overtaken.

17 THE CHAIRMAN: But otherwise you navigate
18 on that line?

19 THE WITNESS: With that type of ship yes,
20 your lordship.

21 THE CHAIRMAN: Thank you.
22 We will adjourn now until 2:30.

23 MR. LALONDE: My lord, are there any
24 other questions for this witness?

25 THE CHAIRMAN: Does anybody wish to
26 ask the witness any more questions?

27 MR. BRISSET: I have only one question.

28 THE CHAIRMAN: Very well we will do it
29 now.



English

CROSS-EXAMINATION BY MR. BRISSET:

Q. Pilot would you give us the dimensions of the Donnocona 2nd?

A. Length and width or tonnage?

Q. Length?

A. That is ---

Q. We have that in the list of ships ---

A. This is 25 years ago.

Q. And I can furnish this information.

MR. LALONDE: I am not sure it is still the same ship. It goes back 25 years ago and as you know they make them wider and longer and do all kinds of things with them. Ships may be quite different now to what was the situation 25 years ago.

MR. BRISSET: Perhaps the witness could give us the best of his recollection?

THE WITNESS: We generally loaded 410 tons of newsprint paper from New York. I believe her maximum dead weight cargo was around 500 tons. That is more or less because this is 25 years ago, or more than that.

Q. And in length?

A. Length roughly one hundred and seventy-five feet.

Q. And beam?

A. She was 32-foot beam on deck.

THE CHAIRMAN: We will adjourn now until

2:30.

---LUNCHEON ADJOURNMENT.



1 ---UPON RESUMING

2 COMMISSIONER SMITH: Please be seated.
3 His lordship will be here shortly. Just continue.

4 MR. LALONDE: Mr. Commissioner, I
5 would like to call Mr. ~~Orance~~ Hamelin, , President of
6 the Corporation of Mid St. Lawrence Pilots. Mr. Hamelin
7 will be examined in French.

8
9 ORANCE HAMELIN - sworn
10 FRENCH

11 DIRECT EXAMINATION BY MR. LALONDE:

12 Q. Could you please tell the Commission
13 how old you are?

14 A. 56.

15 Q. Your profession?

16 A. Pilot for the Montreal District.

17 Q. You may sit down.

18 THE CHAIRMAN: Are the charts still
19 needed?

20 MR. LALONDE: No.

21 Q. Captain Hamelin, , in what pilotage
22 district are you a pilot?

23 A. In the Quebec, Montreal District.

24 Q. Ever since when have you been a pilot
25 in that district?

26 A. Early 1937.

27 Q. Could you please tell the Commission
28 what your experience at sea was previous to 1937?

29 A. Well, in 1922 I became a member of
30 the Naval Reserve, and in the spring of 1923 I was



1 FRENCH

2 transferred to the active service of the Canadian Navy,
3 and in 1926 I passed a year in the English Navy and I
4 was stationed in Bermuda on the H.M.S.S. CAPE TOWN. In
5 1927, in the summer of 1927 I withdrew from the Canadian
6 Navy in order to become a member of the Canadian Merchant
7 Marine and I was called as an apprentice pilot in March,
8 1929.

9 Q. For how many years were you an appren-
10 tice pilot?

11 A. Eight years, from 1929 until 1937.

12 Q. Did you remain constantly as an appren-
13 tice during that period of time?

14 A. Well, I was doing my trips, performing
15 my trips during the summer and as soon as I was through
16 with my trips I went back to sea as Third Mate on board
17 ships of the Canadian Government.

18 Q. What certificates were you the holder
19 of when you became a pilot in 1937?

20 A. First Mate's, coasting.

21 Q. Did you remain constantly a pilot in
22 the Montreal District ever since 1937?

23 A. Yes.

24 Q. Were you at any time a special pilot?

25 A. Yes, I was a pilot for Clark for
26 four years and for Saguenay Terminals for nine years.

27 Q. Could you please tell the Commission
28 if at the present time you are a pilot of Grade A?

29 A. No, I am Grade B Pilot.

30 Q. Did you have the opportunity of actively



1 FRENCH

2 participating through the professional organization of
3 pilots in the course of your career?

4 A. Yes, on many occasions.

5 Q. Could you please in brief indicate to
6 the Commission what positions or what posts you held
7 within that period of time?

8 A. I was Director of the United Montreal
9 Pilots for the years 1952, 1953, 1954, 1955 and 1956 --
10 in 1957 I was the President and finally I was Director
11 again in 1958, and President in 1959, Director in 1960;
12 in the year 1962 I was a Director and in 1963 I became
13 the President.

14 Q. Did you have an opportunity of reading
15 Paragraphs 309, 310, 311 and 312 of the Brief submitted
16 by the Federation of St. Lawrence Pilots to this
17 Commission?

18 A. Yes, sir.

19 Q. Could you please tell the Commission if
20 these paragraphs constitute an accurate description of
21 the situation of your professional organization within
22 your own Pilotage District?

23 A. Yes, it is accurate.

24 Q. These paragraphs indicate that at
25 the present time there are two organizations within your
26 District which are the Society of United Montreal Pilots
27 and the Corporation of the Mid St. Lawrence Pilots.
28 Are you President of these two organizations? at the
29 present time?

30 A. Yes.



FRENCH

Q. Could you please tell the Commission at what time the Society of United Montreal Pilots was established?

A. The Society was established on December 18, 1918 and then renewed the contract for another 25 years from December 18, 1943.

Q. I would like to draw your attention to a document entitled Contract of the Society of United Montreal Pilots, 1943, 1968, certified by the Secretary-Treasurer of your Corporation. Could you please tell me if this is a true copy of the contract of the Society of the United Montreal Pilots?

A. Yes.

Q. I would like also to show you a document entitled By-laws of the Society of United Montreal Pilots, 1943 to 1968 also certified by the Secretary-Treasurer of the Association. Could you please tell me if that document is a proper reproduction of the By-laws of the Association?

A. Yes.

Q. Your lordship I would like to file these documents in a bundle as Exhibit 771. These By-laws that you have just filed, are those for the year 1943 or to your knowledge are they By-laws that have been subsequently amended since 1943?

A. They are the By-laws of 1943.

---EXHIBIT NO. 771: Contract of the Society of United Montreal Pilots 1943, 1968.



FRENCH

EXHIBIT 771, cont.

By-laws of the Society
Of United Montreal Pilots,
1943 to 1968

Q. And the copy that you have filed, is that a copy which has been amended or are those the text of the year 1943?

A. Those are the amendments and the document is up to date.

Q. Could you please tell the Commission at what time you established the Corporation of Mid St. Lawrence Pilots?

A. At a special meeting which had been convened in Three Rivers on September 29, 1958.

Q. Could you please tell the Commission if prior to that there had been mention made of establishing such an organization?

A. It had been mentioned I think in the year 1952 or 1953 but there was no follow up to the first studies made, but we started again in 1957 -- 1956 or 1957 and then we were seriously and honestly deciding to sort of push the project over.

Q. On what date did you decide to incorporate the Incorporation of the Mid St. Lawrence Pilots?

A. December 29, 1958.

Q. Do you know if it was a general annual meeting or a special meeting of your Society?

A. It was a general special meeting which had been especially convened for that purpose.

Q. Could you please tell the Commission if at that meeting it had been decided to set up the



1 FRENCH

2 Corporation?

3 A. Yes, it was at that meeting that it was
4 decided.

5 Q. Could you please tell the Commission
6 at what time the Corporation itself was incorporated?

7 A. Well, we received Letters Patent on
8 February 2, 1959.

9 Q. Could you please tell the Commission
10 how many members decided to join the Corporation, the
11 new Corporation prior to the request for a charter which
12 had been made?

13 A. The first time, at the first count
14 there were 103 members.

15 Q. How many members were there in your
16 District at that time?

17 A. 113.

18 Q. Were documents signed at that time
19 according to which you were making a request to become
20 a member of the Corporation?

21 A. Yes, at that time, yes.

22 Q. I would like to show you two documents
23 entitled one: Request for Membership and the other en-
24 titled only United Montreal Pilots, and it constitutes
25 all amendments to the Act of the Society which was passed
26 before Mr. J. R. Quay, a lawyer, on December 29, 1942.
27 Could you please tell me if those are the documents
28 which the pilots interested in becoming members of the
29 Corporation of the Mid St. Lawrence Pilots were to
30 sign?



1 FRENCH

2 A. Yes.

3 MR. LALONDE: Your lordship I would
4 like to file those two documents in a bundle as Exhibit
5 772.

6 ---EXHIBIT NO. 772: Two Documents
7 Request for Membership and
8 United Montreal Pilots

9 Q. Do you know were the By-laws of the
10 Corporation adopted at that time?

11 A. Yes.

12 Q. Were they adopted at the same time
13 you were asking for your incorporation?

14 A. Yes.

15 Q. Now, I would like to show you a booklet
16 entitled Corporation of the Mid St. Lawrence Pilots,
17 United Montreal Pilots and which contains at the be-
18 ginning a copy of the Letters Patent followed by a series
19 of documents entitled Revision of By-laws, 1961 Corpor-
20 ation of the Mid St. Lawrence Pilots, the revision of
21 the By-laws bears the signature of the Secretary-Treasurer
22 of the Corporation and the seal of your Corporation.

23 Could you please tell me if those are the
24 documents which correspond to the present By-laws of your
25 Corporation?

26 A. Yes.

27 Q. I notice that this booklet also contains
28 the By-laws for the Pilotage District as well as the
29 Marine By-laws, the St. Lawrence River, as well as Despatching
30 By-laws and By-laws for the Pension Fund of the
Pilots of the Montreal District. Was that document pre-



1 FRENCH

2 pared by your Corporation?

3 A. Yes.

4 Q. Is that document given to each and
5 every Pilot of your District?

6 A. Yes.

7 Q. The revision of the By-laws of 1961
8 incorporate amendments to Paragraph 3 of Article 10,
9 By-law No. 2, approved by the Secretary of State on
10 January 24, 1962. This is an up-to-date copy of the
11 By-law, January 24, 1962. I would like to have this
12 filed as Exhibit 773. Your lordship I would also like
13 to file a certified copy of the Minutes of the General
14 Meeting, general special meeting of the Society United
15 Montreal Pilots dated September 29, 1958 and of the
16 general annual meeting of the Society of United Montreal
17 Pilots dated January 21, 1959.

18 I notice unfortunately, your lordship, that
19 one has omitted to print the last page of the meeting
20 of January 21, 1958. I am going to photostat a copy
21 of that and with your authorization I will then be in
22 a position to complete the exhibit.

23 THE CHAIRMAN: What is the date?

24 MR. LALONDE: December 29, 1958 and
25 January 21st, 1958, also.

26 THE CHAIRMAN: (No interpreted answer)

27 MR. LALONDE: That is 773, your lord-
28 ship.

29 ---EXHIBIT NO. 773: Rules and Regulations of
30 Corporation of Mid St.



1 FRENCH

2 (cont)

Lawrence Pilots.

3 secret

4 EXHIBIT NO. 774:

Minutes of Assemblies of
the United Montreal Pilots
from March 2, 1959.

7 MR. LALONDE: Your lordship, I prefer
8 an amendment to the Exhibit which has just been pro-
9 duced, the United Montreal Pilots of 1958 and the
10 Minutes of the Assemblies of the same organization from
11 the 2nd of March, 1959.

12 THE CHAIRMAN: Is that the last special
13 or general assembly?

15 MR. LALONDE: It is the annual general
16 assembly of the 29th of December, 1958 and the general,
17 special general assembly. I note that the last page is
18 missing so it is not totally complete.

19 Could you take a copy of the Rules and
20 Regulations of your present Organization produced as
21 Exhibit 773 and tell us if these rules and regulations
22 to your knowledge are substantially similar or the
23 same as the rules and regulations existing in the
24 Quebec Pilotage District?

25 A. Yes, just about the same thing.

26
27 Q. I note in Article 3 of the Rules and
28 Regulations there is printed the active members. Can you
29
30



1 FRENCH

2 tell the Commission how much your Corporation at the
3 moment, how many of these active members exist in your
4 Association at the moment?

5 A. We have 115 active members at the
6 moment. We also have authorization from the D.O.T. to
7 have 4 members of a temporary type to replace people
8 who fall ill during the season.

9 Q. Are the temporary ones also members
10 of your Organization?

11 A. Yes.

12 Q. So that means then how many pilots
13 are not members of this Organization?

14 A. Eight non members.

15 Q. I note in Article 9 of the Rules and
16 Regulations that the Chairman or President -- excuse me
17 I should say Article 10, that the Chairman or President
18 and the former Chairman or President hold their respective
19 posts only for two consecutive terms, that is to say
20 they cannot be reelected. Did this rule exist previous-
21 ly for the Organization? in question?

22 A. No. What happened in actual practice
23 was at the end of each year where you have a resigning
24 Chairman or President, the Vice-President, he remains
25 in the administration for another year.

26 Q. Do you change sections which you have
27 President or Chairman or can you choose the President
28 or Chairman in any section of your District, that is
29 Montreal-Three Rivers or Quebec-Three Rivers?

30 A. No, what happens is that each year,



1 FRENCH

2 this year the President or Chairman for Montreal-Quebec,
3 next year it will necessarily be for another section.

4 Q. I note that you have an administrative
5 council. Can you tell the Commission how many members
6 there are on the administrative council?

7 A. Eight.

8 Q. Are they shared up in relation to the
9 sections also?

10 A. Yes, four in each section.

11 Q. And you have another directional,
12 executive committee. Can you say how many members there
13 are?

14 A. Four.

15 Q. Do you follow the same rules and reg-
16 ulations as regards the share annually?

17 A. Yes.

18 Q. Do you have elections in each annual
19 assembly?

20 A. Yes.

21 Q. To your knowledge do these elections --
22 have they been contested in the past?

23 A. Almost continuously, there is always
24 a number of candidates at hand.

25 Q. I draw to your attention the document
26 entitled List of Names of Members Proposed at Different
27 Elective Positions. It is certified by the Treasurer
28 of your Association. This document is a list of
29 candidates since 1958. Would you be able to tell if
30 this list corresponds with what has actually happened



1 FRENCH

2 since 1958?

3 A. Yes.

4 Q. Where you have the United Montreal
5 Pilots -- do you also have eight posts for the Executive
6 Board?

7 A. No, only five.

8 Q. Only five?

9 A. Yes.

10 Q. I would like to produce this exhibit
11 entitled List of Names of the Members Proposed at
12 Different Elective Positions, 1958 to 1962 exclusive in
13 Corporation of the Mid St. Lawrence Pilots and United
14 Montreal Pilots.

15 I would like to add to this exhibit another
16 document which I would like to show you entitled List
17 of Proposed Members of the Executive Board of the
18 Corporation of Mid St. Lawrence Pilots and the United
19 Montreal Pilots certified by the Secretary-Treasurer of your
20 Corporation.

21 Would you tell us if this is a precise
22 correct list?

23 A. Yes.

24 Q. And Members who were elected 1958 to
25 1962 inclusive. This is part of Exhibit 775.

26 ---EXHIBIT NO. 775:

27 List of Names of Proposed
28 Members at different elective
29 Positions from 1958 to 1962
30 inclusive, Corporation Mid
St. Lawrence Pilots and List
of Proposed Members of the
Executive Board of the Cor-
poration of the Mid St. Lawrence
Pilots and Members who were
Elected 1958 to 1962 inclusive.



1 FRENCH

2 Q. How often does your Administration
3 Board meet?

4 A. At least once every three months, the
5 most often is at more close periods.

6 Q. And your Governing Board, does it meet
7 more frequently than the Administration Board?

8 A. Yes, at least once a month.

9 Q. The members of the Administration
10 council or the Governing Board, do they receive remuner-
11 ation?

12 A. No, they have reimbursement of expenses
13 during their business from Pilotage earnings.

14 Q. Do there exist committees in your
15 organization which are different from the Administrative
16 Council for the Governing Board?

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1 FRENCH

2 A. Yes. We have the Board of Admissions
3 and Promotions and then we have another Committee also
4 which is called Examination Jury, or Examining Jury.

5 Q. This Admissions and Promotions Committee
6 what are its main tasks?

7 A. Well I will tell you what the Article
8 says: If the Committee should follow the following
9 tasks --

10 Q. Excuse me. What you are doing is to
11 read. Are you referring to Article 38? Could you limit
12 yourself to telling the Commission whether the Committee
13 on Admissions and Promotions actually fulfills the
14 tasks attributed to it by Article 38?

15 A. Yes.

16 Q. I note, nevertheless, that Paragraph
17 F of this Article 38 provides that the Committee shall
18 recommend to the Administrative Council the promotion
19 of pilots, after having ensured itself that the candidates
20 fulfilled the conditions provided for in the rules and
21 regulations of the Authority on Pilotage and those of
22 the various organizations. Would you tell me if the
23 Committee on Admissions and Promotions does fulfill such
24 a task?

25 A. Yes.

26 Q. Does your Committee on Admissions and
27 Promotions recommend the upgrading from Class B to
28 A or C to B?

29 A. The answer to each question is no.

30 Q. Well then how can you say that it fulfills



1 FRENCH

2 the tasks required in sub-paragraph F?

3 A. Well for the pilotage requirements the
4 people are required, after examination that is, to say --
5 the members are called upon to sign a declaration, a
6 statement which is submitted to the Pilotage Authority
7 in Ottawa on the candidates to say whether yes or no
8 they have fulfilled pilotage duties.

9 Q. Isn't it done by the Examining Jury?

10 A. Yes, but the Committee on Admissions
11 and Promotions deals with this also.

12 Q. Would you tell the Commission what
13 exactly happens? Let us suppose -- of course I do under-
14 stand that we have, say, somebody in apprenticeship.
15 Let us suppose you have an apprentice -- excuse me, let
16 us say you have a vacancy in your District. What is
17 going to happen to fulfill this job? What will be the
18 task of the Examining Jury or the Committee of Admissions
19 and Promotions?

20 A. The Examining Jury consists of Regional
21 Superintendents, representatives of the D.O.T. and
22 three members of the Committee who are named by the
23 general assembly and they give the necessary examination
24 to the candidates involved.

25 Q. Yes, and what is the role of the
26 Committee on Admissions and Promotions in this matter?

27 A. The Committee on Admissions and Promotion
28 draws up the list of candidates for these examinations.
29 It draws up the syllabus. It gives courses.

30 Q. Well then does the Committee decide, or



1 FRENCH

2 does it give any recommendations to the Administrative
3 Council concerning the promotion of pilots? Look over
4 Paragraph F again, would you? You can go through this
5 quickly. Do you have the Article?

6 A. Yes.

7 Q. Well in fact when you have the Committee
8 on Admissions and Promotions, does it recommend the
9 promotion of pilots?

10 A. Yes, certainly. If the candidate
11 has passed the examination successfully.

12 Q. Well if he has passed it successfully
13 what does the Committee on Admissions and Promotions
14 do then?

15 A. It recommends that he be admitted as
16 a member of the Organization, of the Corporation.

17 Q. A member?

18 A. That he should be nominated a pilot.

19 Q. Isn't it the Examining Jury that does
20 this on the examination?

21 A. Yes. They make the recommendation if
22 the examination has been satisfactory.

23 Q. And these recommendations, are they
24 sent to Ottawa, to the Pilotage Authority?

25 A. Yes, with the signature of the Examiners.

26 Q. And what would be added to by the
27 Committee on Admissions and Promotions in that case?

28 A. They would ensure with certainty that
29 the applicant was competent.

30 Q. Does the Committee on Admissions and



1 FRENCH

2 Promotions send a letter to Ottawa to that effect?

3 A. No.

4 Q. How is this done?

5 A. Well you have a Regional Superintendent
6 involved in this respect.

7 Q. Have you any other Committees in ex-
8 istence other than the Examining Jury and the Committee
9 on Admissions and Promotions?

10 A. Yes. We have annually a Committee on
11 Applications for Posts.

12 Q. Do you have any other Committees other
13 than the Application?

14 A. We have the Selection Board.

15 Q. And do you sometimes appoint special
16 committees?

17 A. Yes. At the moment we have a special
18 study made of apprenticeship to discuss whether or not
19 it is desirable or expedient to have changes made in
20 the system.

21 Q. You did mention that the administrators
22 were not remunerated, and just got remuneration for their
23 expenses. Now this reimbursement of expenses, do the
24 administrators have to provide a justification for ex-
25 penses?

26 A. Yes.

27 Q. I am going to show you a document here
28 certified by your Secretary-Treasurer again. Would you
29 tell the Commission what is the nature of that document?

30 A. It's a kind of an indication of the



1 FRENCH

2 expenses involved for the assemblies which took place
3 during the year among the Directors. They have to fill
4 in the form and sign it before they can obtain reim-
5 bursement of expenses.

6 Q. Do all the Directors have to fill in
7 this form?

8 A. Yes.

9 MR. LALONDE: I would like to file
10 this indication of expenses, or rather claim for expenses
11 for the Corporation of Mid St. Lawrence Pilots as
12 Exhibit 776.

13 ---EXHIBIT NO. 776: Claim for Expenses, the
14 Corporation of Mid-St.
15 Lawrence Pilots.

16 Q. I note that your By-laws provide that
17 a special assembly shall be held in addition to the
18 general annual assemblies. Have you had the opportunity
19 of convening a special general assembly either of the
20 Corporation of Mid St. Lawrence Pilots or of the other
21 Corporations?

22 A. Yes, on several occasions this has
23 happened.

24 Q. I show you a statement signed by your
25 Secretary-Treasurer entitled "Aims of Convening Special
26 Meetings since 1958". Could you tell the Commission
27 whether this document describes precisely the list of
28 of special assemblies held since 1958 as well as the ob-
29 jects of these meetings?

30 A. Yes, certainly it does that.



1 FRENCH

2 Q. MR. LALONDE: I am going to file this
3 document as Exhibit 777.

4
5 ---EXHIBIT NO. 777: Document entitled Aims of
6 Convening Special Meetings
7 since 1958.

8 Q. As regards the disposal, what is in-
9 dicated in your rule? I presume that they can be verified.
10 Could you indicate whether your corporation annually
11 proceeds to the appointment of bookkeeping auditors?

12 A. Yes.

13 Q. Could you tell the Commission who these
14 auditors are? Are you aware of this or is that a matter
15 for the Secretary-Treasurer?

16 A. Yes, I do think I would rather leave
17 it to him to answer that.

18 Q. Now regarding your District, do they
19 put their income in a general fund?

20 A. Yes.

21 Q. Is this a practice which has existed
22 for a long time past in your District?

23 A. Since 1918 at least.

24 Q. Regarding the general regulations
25 concerning the pooling of the funds, are they peculiar
26 to your Corporation?

27 A. Yes.

28 Q. What Articles and Regulations are
29 involved?

30 A. By-law No. 2.



1 FRENCH

2 Q. Who are the people entrusted with
3 the application of this By-law on a day-to-day basis?

4 A. The Secretary-Treasurer.

5 Q. Would he be the person who would be
6 best able to reply to questions of administration of
7 the pooling?

8 A. Yes.

9 Q. Has your Corporation a Secretariat?

10 A. Yes.

11 Q. Could you tell us how many employees
12 your Corporation has?

13 A. We have two Bookkeepers and a Secretary.

14 Q. Are Minutes kept of your assemblies
15 of the Council of Administration and the Board of
16 Directors?

17 A. Certainly.

18 Q. And have Minutes been held of the
19 annual general assemblies also?

20 A. Yes, always.

21 Q. Is your Corporation a member of certain
22 bodies?

23 A. Yes. We are members of the Federation
24 of St. Lawrence River Pilots and we are members of the
25 Canadian Merchants Service Guild Eastern Division.

26 Q. Have you dealt with the functions in-
27 volved in the Eastern Division of the Merchant Service
28 Guild?

29 A. Yes. I was National President for
30 the Canadian Pilots.



1 FRENCH

2 Q. Do you have a position also in the
3 Federation of the St. Lawrence River Pilots?

4 A. I was a delegate.

5 Q. Did you have an administrative post
6 in this connection?

7 A. Yes.

8 Q. How many delegates does your Organization
9 or Incorporation have in the Corporation of the St.
10 Lawrence?

11 A. Thirteen.

12 Q. Could you inform the Commission how
13 you proceed to the choice of these delegates?

14 A. Well first of all we choose the eight
15 Directors who are elected as Directors of our Corporation.
16 They are virtually appointed Delegates to the Federation
17 and often, unless -- well that is to say the special
18 meetings, the candidates who have made the elections,
19 who have been involved in the elections are also appointed
20 as delegates.

21 Q. I draw to your attention a document
22 entitled "List of the Names of the Delegate Members of
23 the Federation of St. Lawrence River Pilots 1959 to 1962"
24 and certified by the Secretary-Treasurer. Could you in-
25 form me whether this document is a true indication of
26 the names of the members/delegates of your Federation?

27 A. Yes.

28 Q. Since when has the Federation or
29 rather since when has your Corporation and the Association
30 of Montreal Pilots been associated with this?



FRENCH

A. Since January, 1960.

Q. I draw to your attention a document certified by the Secretary-Treasurer indicating two resolutions. One of them is that the general annual assembly of the 21st of January 1958 and the aim of it is to indicate to certain people the undertaking of certain works so that the Corporation could become integrated within the Corporation of Montreal Pilots and this resolution is the tenth of December, 1959, which I read as follows:

"That the Corporation of Mid-St. Lawrence Pilots and the United Montreal Pilots require by their presence their admission as members of the Federation of St. Lawrence River Pilots."

Could you inform us if this document is a truly authentic in this connection?

A. Yes.

Q. I would like to produce these two documents as Exhibit 778.

---EXHIBIT NO. 778:

Resolutions of the Corporation of the Mid St. Lawrence Pilots and the United Montreal Pilots into the Federation of St. Lawrence River Pilots.

Q. Would you be in a position to give to the Commission the date on which the division of your Pilotage District in two occurred?

A. It was at the end of May 1957.



1 FRENCH

2 Q. What was the procedure followed prior
3 to that date?

4 A. Since 1949 the lakers, as well as the
5 tankers, coasting tankers and also ocean-going vessels
6 took about seven hours to reach Three Rivers.

7 The Pilots had the right to be replaced by
8 another Pilot at Three Rivers in order to bring the
9 ship to Montreal.

10 Q. At the general annual meetings of your
11 Corporation did the President, or does the President
12 always submit a report to the meeting?

13 A. Yes. He always submits a complete
14 report regarding the events of the year.

15 Q. Do you know if that report is given
16 to each and every member?

17 A. Yes. Each member receives his own
18 copy of the report.

19 Q. Are financial statements given to
20 members as well?

21 A. Yes. Each member receives a financial
22 report for the fiscal year.

23 Q. I would like to draw your attention
24 to a photostat copy of the report of the President of
25 the Corporation of the Mid St. Lawrence Pilots and of
26 the Society of United Montreal Pilots for the fiscal
27 year 1961 signed by Laurent Marchand, President. Have
28 you received such a report yourself?

29 A. Yes, I have.

30 Q. I would like to file for the information



1 FRENCH

2 of the Commission one copy of an annual report from the
3 President of the Corporation of the Mid St. Lawrence
4 Pilots and for the Society of the United Montreal Pilots
5 as Exhibit 779.

6
7 ---EXHIBIT NO. 779: Copy of an annual report from
8 the President of the Corporation
9 of the Mid St. Lawrence Pilots
and for the Society of the United
Montreal Pilots.

10 Q. Captain, I would like to draw your
11 attention to Paragraph 304 of the Brief submitted by the
12 Federation of the St. Lawrence Pilots to the present
13 Commission and in particular to the item, Paragraph 304
14 on Page 219, the Item Incorporation of the Lower St.
15 Lawrence Pilots and on Page 120 of the English text,
16 for the years 1960, 1961 and 1962. These figures are
17 supposed to indicate the number of members in attendance
18 at the meetings at the end of the fiscal year for the
19 preceding year.

20 Could you please tell me if the figures in-
21 dicated therein are accurate?

22 A. Yes.

23 Q. How long do your annual meetings last?

24 A. Well some years they last three days,
25 some more but normally speaking they last two days, two
26 and a half days.

27 Q. To your knowledge the pilots who were
28 not members of the Board of Directors did they have the
29 opportunity to submit resolutions or motions at the
30 general assembly?



1 FRENCH

2 A. Yes.

3 Q. To your knowledge did it ever happen
4 that pilots sent, prior to the holding of the meeting,
5 certain drafts or resolutions, drafts or amendments to
6 the By-laws and so forth?

7 A. Yes.

8 Q. To your knowledge did those drafts
9 sent to the Corporation, were these drafts sent to the
10 Corporation submitted through the members for did the
11 Board just put them aside?

12 A. No. The Board of Directors always
13 studied them and then afterwards these drafts were sub-
14 mitted to the members of the general meeting.

15 Q. I would like to refer you now, Captain
16 Hamelin, to the specific recommendations of your
17 Corporation, Paragraph 628, 629, 630, 631, 632, 633 and
18 634 of the Brief which has been submitted by the
19 Federation of the St. Lawrence Pilots to the Commission.
20 I notice that there is first a recommendation to the
21 effect that the present limits of the District of
22 Montreal remain as they are. In the Paragraph 629, 630
23 we can find some details, or detailed explanation about
24 this first recommendation. Could you please explain to
25 the Commission what are the reasons for this recomm-
26 endation?

27 A. Well we want the east and west limits
28 of our District to remain as such.

29 Q. Does the same thing apply to the
30 division of your District in two sections?



1 FRENCH

2 A. Yes.

3 Q. Would your Corporation want to maintain
4 this division at Three Rivers?

5 A. Certainly. We studied this matter
6 at quite a length and we think that for the safety
7 of navigation on the St. Lawrence that the Three Rivers
8 Station is the most logical one.

9 Q. You say that you have studied this
10 matter at quite a length. Could you please tell the
11 Commission what were the circumstances which brought
12 you to make such studies?

13 A. Even before I became an apprentice
14 pilot, pilots from the period 1920, 1930 already had
15 started to study that matter and the time we were called
16 to become apprentices, I think that we were about 30
17 apprentice pilots and it was the pilots intention at
18 that time to ask the Authority to give this division
19 at Three Rivers because at that time we had many ships.
20 We were required to work 25 to 30 hours on the bridge
21 from Quebec to Montreal and naturally this was quite in-
22 human so ~~in the~~ in the year 1930, what changed the plan of
23 the period at the time, in 1930 of course we all know
24 that there was this great financial crash throughout
25 the world, which, of course, delayed this matter and
26 finally we studied it after the postponed period.

27 Q. Did your Society ask experts, or call
28 upon experts or outside people to study this matter?

29 A. Yes. We had a Committee which was
30 composed of three persons who gave a great deal of their



1 FRENCH

2 knowledge and time to study this whole matter.

3 Q. What are your main objections for a
4 transferral of this station to Three Rivers? You have
5 learned about the proposal of the Shipping Federation,
6 in order to establish a station at Sorel. That is, to
7 make a change of pilots in the District at Sorel
8 instead of Three Rivers?

9 A. Yes. Well if one tries to study what
10 goes on throughout North America and in Europe a
11 pilotage of 71 miles in quite a narrow river such as
12 ours, with the ever-increasing traffic in the year,
13 well I think that a pilot after a certain number of
14 hours on duty on a bridge under such conditions, in
15 order to accomplish the 71 miles, it would be very logical
16 and far safer for him to be replaced.

17 Q. In the request that you make in your
18 recommendations to see to it that the present limits
19 of the District of Montreal remain as they are, do you
20 observe the same By-laws or same position or the same
21 station you have with the Montreal Harbour Pilots?

22 A. Yes, that is correct. We do not
23 want any change in the present organization existing at
24 the Montreal Harbour because we think that the results
25 are very good. The despatching of vessels in the
26 St. Lawrence is as it never was before. There is no
27 loss of time and we often hear the comments of ship
28 masters to that effect.

29 Q. Do you have anything else to add
30 concerning recommendation No. 1, Captain?



1 FRENCH

2 A. No.

3 Q. I notice that recommendation No. 2
4 on Page 230 provides that no other exemption from
5 compulsory payment of pilotage dues be granted and you
6 refer then to all the arguments contained in Chapter 9
7 of the Brief of the Federation which studies in detail
8 the general policy on that subject. Would you have any-
9 thing else to add personally, or would you have any
10 personal comments to offer on that question?

11 A. Well once again I am going to repeat
12 that for the better, efficient and the greatest safety
13 of navigation I think it should be absolutely essential
14 to have pilots on board every ship. We already have enough
15 trouble with the small navigation, that is with the
16 small schooners. We have enough trouble with them without
17 increasing the hazards and the possibility of delays
18 or accidents by granting exemptions to other parties.

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RPS 1 French

2 Q. Finally the third recommendation
3 is entitled tariff limits and states that the present
4 limits of the tariff as to the tonnage be removed.
5 Could you please tell us what are your arguments in
6 favour of that? What is your present situation?

7 A. Well, there is a restriction at the
8 present time concerning the charges to be made on
9 a ship of more than 15,000 tons and this doesn't
10 apply to a vessel that is less than 15,000. We think
11 it would be logical for a vessel of 20,000 tons
12 to pay the appropriate tariff. It would be quite fair.

13 Q. Are there some vessels of more than
14 15,000 tons net in your District?

15 A. Well, very few, perhaps there are
16 around one or two.

17 Q. Is your group in frequent contact with
18 the Pilotage Authority, the D.O.T.?

19 A. In Montreal or what?

20 Q. Well, representatives of the Pilotage
21 Authority in general, either in Montreal or Ottawa?

22 A. Well, frequently enough, yes.

23 Q. What are your general problems
24 regarding the relationship between the D.O.T., the
25 Pilotage Authority and your group?

26 A. Well, you could say that the
27 relationships are very good, especially with
28 representatives of the D.O.T. here at Montreal. We
29 always get excellent co-operation on the part of the
30 representatives of the Minister.



1 French

2 Q. Do you have any particular grievances
3 that you would like to raise? What are your main
4 grievances?

5 A. Well, the main so far as I am
6 concerned would be the question of discipline because
7 apparently nobody wants to assume responsibility of
8 enforcing discipline within the group and I think that
9 is a very bad state of affairs. Eventually the
10 decision will have to be made for the greater efficiency
11 of pilotage within our District.

12 Q. In your relations with the Pilotage
13 Authority would you have any other complaints or
14 grievances that you would like to raise?

15 A. Well, this slow speed at which the
16 decisions are made at times, this is certainly one
17 of the drawbacks because naturally when the whole
18 matter has to be sent before Peter, Jack and Roland
19 we have to wait for two or three months for a decision
20 to be made because after all this decision may be
21 very important which affects our duties in the whole
22 District.

23 Q. Finally, Captain, Captain Bernier
24 this morning mentioned the shortage of staff in
25 Three Rivers. Would you have a comment to make
26 according to your experience in that field?

27 A. Yes, recently I had the opportunity
28 of meeting with Alan Cumyn who was director of the
29 Pilotage section and I mentioned that fact again.
30 What happens in Three Rivers is different. In daytime



1 French

2 you have at least two persons on duty. At about eight
3 or nine o'clock in the evening because of the shortage
4 of staff at a given time there is only one dispatcher
5 on duty for the whole night, so naturally you can
6 imagine, a large vessel which leaves Montreal at 6:07
7 in the evening well, around eleven or midnight, you
8 have about twenty or thirty vessels which are meeting
9 at Three Rivers, so this poor man has to do all the
10 work that normally should be accomplished by more
11 men without losing any time; or sometimes he forgets
12 things, forgets about things. He forgets to call
13 pilots or to write down the e.t.a. or what time a
14 ship is due in and so forth.

15 Naturally this gives rise to many delays
16 in Three Rivers, delays that should never have occurred,
17 and I think the shortage of staff is the main cause
18 of that state of affairs. Now, to get back to Mr.
19 Cumyn I made a complaint to him and he was surprised
20 and he said he would send one man, send a person who
21 was entrusted with personnel in Ottawa to undertake
22 an investigation and we hope in the very near future
23 they will make a decision to have at least the same
24 staff on that exists in Montreal and Quebec for the
25 nighttime in Three Rivers because the same type of
26 work is accomplished at Three Rivers and this work
27 has to be carried out by one man which is highly illog-
28 ical.

29 THE CHAIRMAN: Would it be possible to
30 have a recess now, Mr. Lalonde?



1 French

2 ---A SHORT RECESS.

3
4 ---FOLLOWING THE SHORT RECESS:

5
6 MR. LALONDE: I have no further questions
7 of the witness, your lordship.

8
9 CROSS-EXAMINATION BY MR. MASON:

10 Q. Pilot, if you will permit several
11 questions I would like you to refer to the evidence
12 this morning that would indicate that the question
13 of the location of this bridge at Three Rivers was
14 referred to the Pilots' Committee for consideration
15 and perhaps recommendation. In your capacity as Pres-
16 ident of the Corporation would you sit on this
17 Committee?

18 A. Yes, sir. I must disagree with whatever
19 was said this morning. We found out about that bridge
20 when we read about it in the newspaper. That is
21 the only time we ever knew about this.

22 Q. At no time were you consulted by
23 either the Department of Transport or the Department
24 of Public Works in the design or the location of this
25 bridge?

26 A. No, sir. As soon as we found out
27 about this we went to see, we asked about that with
28 Mr. Land since they were the people in charge of the
29 channel, you see, and apparently they couldn't do very
30 much about this so then we sent you a small memorandum



1 English

2 about this, to the Shipping Federation and to your
3 organization trying to get your assistance to stop
4 this, you see.

5 Q. What objections did you present to
6 Mr. Land as to the proposed location and design of this
7 bridge?

8 A. We explained to him that it was the
9 only anchorage we had in that vicinity and the only
10 place where we could turn a ship around leaving
11 Three Rivers. We have to go upstream and turn the
12 ship around to go downriver.

13 Q. I understand that if the bridge is
14 built in this location it would eliminate one-third
15 of the anchorage area?

16 A. More than that, more than that, because,
17 I mean you know yourself, manoeuvring a ship -- you
18 can't let her get too close to a certain point, getting
19 sideways in the River, you see, so you have to keep
20 at a fairly good distance to feel secure and make
21 sure that she is going to be turned around by the
22 time you get to the bridge. The fact that the bridge
23 would be there, it will cut your space more than
24 half the space that you actually have, you see.

25 Q. If you were picking up an Upper
26 Lake grain vessel, 730 feet long at section 16, where-
27 abouts would you turn that vessel around to proceed
28 downbound?

29 A. Just above where that bridge is
30 going to be built.



1 English

2 Q. If the anchorage area above the
3 bridge is full of vessels then where would you turn
4 it around?

5 A. There you are, it is a small
6 anchorage and at the present time -- I think last week
7 we had over 12 ships in there and the ships are
8 cross the River and there is really no room to swing
9 another ships to come downriver, you see, especially
10 at night.

11 Q. Did you make any recommendations
12 as to enlarging this anchorage area?

13 A. Well, Mr. Land proposed -- it was
14 a suggestion that they gave, if actually they were
15 going to build the bridge, he said they might have to
16 dredge from about abeam of section 20, you see the
17 upper part of the harbour just below the old submarine
18 cable, dredge the southern part as far down as the
19 Ste. Angele ferry wharf, you see, it would give us
20 about 3,000 feet width there.

21 Q. Have you heard anything back from
22 any of these Departments on your recommendations?

23 A. No, apparently in Ottawa -- we
24 spoke about this and apparently it is beyond their
25 jurisdiction or something. I don't know, they can't
26 do anything about this.

27 MR. MASON: Thank you.

28 THE CHAIRMAN: This basin you have as an
29 anchorage area, it is a natural one isn't it?

30 THE WITNESS: Yes.



1 English

2 THE CHAIRMAN: And dredging would enlarge
3 the upper end, would fill in the depth -- that wouldn't
4 be natural above that place.

5 THE WITNESS: No, your lordship, it would
6 remain -- if they dredged this place where they
7 mentioned, it shouldn't fill in. It is going to
8 remain at the depth they are going to dredge.

9 COMMISSIONER SMITH: Did I understand
10 you to say that Ottawa claimed they are not going to
11 do anything about it or couldn't do anything about
12 it?

13 THE WITNESS: Well, apparently the officers
14 of the Department of Transport that I spoke to, they
15 seemed inclined to think it is outside of their
16 jurisdiction.

17 COMMISSIONER SMITH: I would think if it
18 interferes in any way with navigation it becomes
19 grossly under their jurisdiction. I suppose that is
20 a legal point.

21
22 DIRECT EXAMINATION BY MR. RICHARDS:

23 (THROUGH THE INTERPRETER.)

24 Q. Captain Hamelin, during the negot-
25 iations which proceeded and during the negotiations
26 and after the negotiations which preceded the incorp-
27 oration, your incorporation, could you tell us if
28 in one way or the other there were any pressures made
29 upon the members of the organization so as to make
30 them into the Corporation?



1 French

2 A. No.

3 Q. Neither before nor after.

4 A. No, not at any time.

5 Q. Now, I come to another field, Captain,
6 concerning the boats, the vessels and the security
7 margins which must be maintained. You have undoubtedly
8 heard the testimony of Captain Arcand as regards the
9 margin of three feet which must be maintained in the
10 Montreal area. You undoubtedly heard also the
11 testimony in this connection. (End of interpretations)
12 I would like you to tell us if in the District of
13 Quebec, Three Rivers, if there is existing an
14 agreement with either the Port Authorities or the
15 Shipowners to the effect that a margin of security
16 of three feet should be maintained?

17 A. Yes, at a given moment the Shell
18 Oil Company of Canada had made a rule to enter in the
19 Montreal District, Montreal to Quebec and the captains
20 were instructed to have three feet of clearance,
21 and then I think it was last year that we received
22 a letter from this same company, a copy of a letter,
23 I should say, stating that they had decided to reduce
24 the margin to two feet six inches for the District
25 Montreal, Quebec, but apart from that we never had
26 any other agreement. We asked on several occasions
27 of the Department to control the draught in the
28 River in the District of Montreal, Quebec, or Quebec
29 Montreal, and once again it was indicated that it
30 wasn't in their scope or jurisdiction to do this.



1 French

2 Q. In Three Rivers at the moment does
3 there exist any authority which sees to the verification
4 in this connection for the vessels?

5 A. There is a Port Warden who comes
6 occasionally -- they didn't have one, and for some time
7 they have had one, but he just deals with the vessels
8 in terms of the capacity of loading. He doesn't
9 deal at all with things like this.

10 Q. So then he doesn't deal with the
11 draught itself?

12 A. No, the vessels go down to the elevators
13 at a given moment.

14 Q. In Three Rivers is there a limit
15 for the depth of water, to your knowledge?

16 A. How do you mean exactly?

17 Q. Well . . .

18 A. Well, in the basin there is supposed
19 to be 35 feet and in the berths we have 30 feet.

20 Q. Then there is a limit for the
21 draught?

22 A. Yes, there is.

23 Q. 35?

24 A. Yes, in the basin. We think even
25 that even this 35 at the moment . . . (end of inter-
26 pretation) . . .

27 Q. To your knowledge would the Port
28 Warden have the necessary authority to limit the
29 draught?

30 A. Well, I know that in Montreal it is



1 French

2 done. I would say all the more reason it should exist
3 at Sorel and Three Rivers because after all the
4 danger is below Three Rivers with the rocks and the
5 various other obstacles.

6 Q. What are the means, Captain, at the
7 disposal of the pilots presently to check these
8 draughts in Three Rivers taking account especially
9 of the fact that several vessels are based on the
10 bed of the River?

11 A. Well, the pilot begins to, I would
12 say that some have allowed steamships to go upwards
13 and bring these signals to check the proper draught,
14 once they have reached a certain depth. This is the
15 only way they have of actually checking the draught.

16 Q. Is it to your knowledge, Captain,
17 that the pilot going on board a ship should obtain
18 the draught from the Captain, and this draught after
19 having left the berth would be increased seven, eight,
20 or nine or ten inches or a foot?

21 A. Yes, in one or two cases which I
22 have been aware of, I have been informed that it did
23 happen.

24 Q. You undoubtedly know, Captain, that
25 most of the vessels have to take on drinking
26 water in salt water, in Quebec and Three Rivers, is
27 it to your knowledge that the fact of taking on water,
28 that it increases the vessel's draught an appreciable
29 extent?

30 A. Yes, in the case of tankers, there is



1 French

2 a company like Shell Oil which I mentioned just now,
3 who go down to Three Rivers Station and have full
4 amount of water, 30 feet even keel and they take
5 water all the time they are going down, so even there
6 are errors of calculation, and the first thing that
7 is done is that the vessel may have a few more feet
8 than the captain informs us is the case.

9 MR. RICHARDS: Thank you, Captain.

10
11 CROSS-EXAMINATION BY MR. BRISSET:

12
13 Q. Captain, I didn't have the opport-
14 unity to examine the request for admission used for
15 becoming a member of the Corporation of Pilots of
16 Montreal; the United Montreal Pilots. I should like
17 Am I to understand that the request for membership
18 is similar to that used in Quebec and that at the same
19 time there was a request for membership and an agree-
20 ment for dissolution of the Society?

21 A. No. We can always check again.

22 MR. BRISSET: 772.

sh 23 MR. LALONDE: My lord, the document speaks
24 for itself. I am sure that my learned friend is
25 certainly more able than the witness to ascertain
26 whether this is the case or not.

h 27 THE WITNESS: Yes, that is correct.

28 MR. BRISSET: Q.. So it is a request for
29 membership and a request to agree to the dissolution
30 of the Society?



1 French

2 A. Yes.

3 Q. The reply is that is correct?

4 A. I beg your pardon?

5 Q. Is the answer that is correct?

6 A. It is a request for membership, yes.

7 Q. Captain, you were present during
8 the course of the testimony given by Captain Rousseau
9 in Quebec on the matter of these forms regarding
10 membership and organization of the Corporation in
11 connection with the Corporation, similar Corporation
12 in Quebec. Is it true to say, and I am putting
13 this question to you as President of the two Organiz-
14 ations here in the District of Montreal, is it true
15 to say that the two bodies are roughly the same type
16 and they work in roughly the same way?

17 A. Yes, the pilots of one or the other
18 are the same.

19 Q. Now, you told us in the District of
20 Montreal you had one hundred and fifteen active
21 pilots, four temporary members of the Corporation and
22 there are eight members who are members only of the
23 Society alone, that is the United Montreal Pilots?

24 A. Yes.

25 Q. These eight members, as was the
26 case with the six members in Quebec, could you call
27 them dissident members?

28 A. Well, they are people who prefer to
29 stay on the status quo. They prefer their freedom.

30 Q. These eight members were pilots who



1 French

2 were in function before 1959 or are they eight members,
3 are they people who came in after 1959?

4 A. No, they were already working before
5 the setting up of the Corporation.

6 Q. Well now those who were appointed
7 as pilots since 1959 did they, in fact, join the
8 Organization?

9 A. Yes.

10
11
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23 --

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30 --



RPS 1 French

2 A. Yes. That is to say the United
3 Montreal Pilots or the Corporation of the Mid-St.
4 Lawrence Pilots.

5 Q. Now would you say they are honorary
6 members which do exist in Quebec?

7 A. No, not that I know of.

8 MR. LALONDE: I am sorry to be speaking
9 in English, but I have lost my mike. My friend makes
10 a mis-statement. There are no honorary members in
11 Quebec either. The Federation has the two honorary
12 members.

13 (THROUGH THE INTERPRETER.)

14 Q. I am sorry. For several years you
15 were a member of the Board of Director weren't you
16 and you are, I imagine, aware of the workings of it.
17 Is it true to say that the main aim or one of their
18 main aims of the Corporation was to have a common
19 fund. That is to say to have a common fund for all
20 the income of pilots of the District?

21 A. This is one of the tasks or aims.

22 Q. Once the Act was passed in 1918 and
23 renewed, I think in 1943, is it not true that the
24 dues of pilots, earned by pilots were paid by the
25 Pilotage Authority to the Corporation at regular
26 periods?

27 A. Yes, this is true.

28 Q. To be subsequently distributed
29 to the pilots according to the By-Laws or rules and
30 regulations regarding this pooling ?



1 French

2 A. Yes. The Department deducted part
3 of the pension fund before passing over the money to
4 the Corporation.

5 Q. Now since the Corporation or Society
6 was set up is it true to say that the Department always
7 gave the pilotage dues, earned by the pilots, less the
8 pension fund to the Society itself? The cheques you
9 received from the Department are they made out to the
10 Society?

11 A. Yes. I don't really grasp your
12 question.

13 Q. Well where you had this previous
14 system before the Corporation or Society was set up,
15 were these pilotage dues paid by the Government to
16 the society with the cheques made out to the Society
17 still under the system applying since the Corporation
18 was set up?

19 A. I would rather my colleague replied
20 to this question. He is the one -- I should say the
21 bookkeeper should reply. He is the one that gets the
22 cheques and he is the one you should ask. He would
23 be better placed to give you this information.

24 Q. At all events, Mr. Hamelin, where
25 you have the Corporation, including yourself, have
26 you given the right or proxy to the Government
27 entitling them to deduct these dues by the pilots
28 to be passed over to the Corporation itself?

29 A. Well that did exist but doesn't today.

30 Q. Now you say that at a given moment



1 French

2 they were obliged to give a proxy in favour of the
3 Corporation?

4 A. No, in favour of the United Montreal
5 Pilots. This was done away with I remember very
6 well some years ago.

7 Q. Well now when it was decided ---

ish 8 MR. LALONDE: My lord, maybe to help
9 matters a bit I might state that the pilotage By-Laws
10 in Montreal District state that the monies earned by
11 the pilots, Section 21, paragraph 2 states that the
12 monies earned by the pilots are to be paid to the
13 United Montréal Pilots and I am informed that this
14 is still the case but the Secretary-Treasurer of the
15 Corporation, of the Association will testify as to
16 how exactly this is carried out. At the present time
17 I am informed that the Montreal pilots are still
18 receiving the money.

nch 19 (THROUGH THE INTERPRETER.)

20 Q. Mr. Hamelin, when it has been
21 decided to establish the Corporation of the Mid-St.
22 Lawrence Pilots, did you take an active part in the
23 discussions which certainly must have taken place
24 at that time regarding the method of incorporation
25 of that Association, its powers and so forth?

26 A. Yes.

27 Q. At that time was there mention made
28 of the advantages there would be while establishing
29 the Corporation and keeping the Society itself, that
30 is the United Montreal Pilots still in existence? That



1 French

2 is not to abolish it. Was there any mention made
3 of that?

4 A. Yes, this was discussed on one
5 occasion I think.

6 Q. Is it not a fact to say that the
7 conclusion reached at that time was that if the
8 Society was kept on an active basis, this would force
9 the pilots to give a proxy authorizing the Government
10 to pay the Corporation itself the pilotage dues that
11 might be earned. Do you remember that?

12 A. No, I don't remember.

13 Q. The eight members, or rather the
14 eight pilots of your District who do not belong to
15 the Corporation, I suppose that in the Quebec District
16 just the same take part in the administration costs
17 of the Corporation?

18 A. Yes.

19 Q. Through this mechanism of incorporating
20 in the By-Laws of the Society all the By-Laws of the
21 Corporation?

22 A. Yes.

23 Q. And these eight members who did not
24 belong to the Corporation, are those of necessity to
25 become members of the Canadian Merchant Service Guild
26 and the Federation as well?

27 A. Yes, so long as the majority so
28 desires for the advantage of each and every one.

29 Q. Don't you think that this is one
30 of the reasons, or those are some of the reasons which



1 French

2 kept you, made you keep the Society of the United
3 Montréal Pilots instead of abolishing it?

4 A. Well I couldn't confirm that fact.

5 Q. Aside from the reason I have given,
6 would you see any other reason which would decide
7 about the existence of the Society now the Corporation
8 is well-established, has its letters patent and is
9 in operation?

10 A. Well the eight members who are
11 not members of the Corporation are members of that
12 Society and, consequently, we think it is better to
13 let the period reach its maturity, that is in 1968;
14 let the period expire in 1968.

15 Q. Now I would like to refer you to
16 the By-Laws No. 38(E) and No. 38(F) of the By-Laws of the
17 Corporation about which you were asked a few questions
18 and I would like to read you By-Law 38(E) regarding
19 admission of members which reads as follows:

20 "Following the examinations for
21 "admission in pilotage it . . . "
22 speaking of the Admission Committee
23 ". . . submits to the Board of Directors
24 "its recommendations governing the admission
25 "of candidates as members of the Corporation."

26 Am I to understand upon reading this
27 By-Law that as soon as the candidate has passed his
28 examination with success, your Admission and Promotion
29 Committee makes recommendations to the Corporation
30 to find out if the candidate is to be admitted or not



1 French

2 as a member of the Corporation?

3 A. Yes, as a proposal has to be made
4 so that one could be admitted, a proposal made by
5 a member of the Board which will be adopted.

6 Q. Let us take a hypothetical case
7 Mr. Hamelin, let us take a case of the candidate who
8 has passed his examination with success. Is it
9 possible for the Promotions Committee not to recommend
10 this candidate as a desirable member of the Corporation?

11 A. Well I doubt it. If the Board of
12 Examiners and the officers representing the D.O.T.
13 has deemed the man fit to receive a licence as a
14 pilot, well I don't see what objection there might
15 be for that candidate to become a member of our
16 Corporation. There might be certain cases perhaps,
17 but I don't know.

18 Q. Has such a case occurred in the
19 past?

20 A. Not to my knowledge.

21 Q. Now would the reverse be possible
22 Mr. Hamelin? Let us say that the Admissions Committee
23 considered that the interested candidate is not
24 a member that would be desirable for the Corporation.
25 Would it be possible then for that candidate not to
26 pass his examination?

27 A. No. If this candidate did not have
28 the necessary requirements, qualifications in order
29 to become a pilot, naturally he would not have the
30 opportunity of passing the examination. He would be



1 French

2 eliminated before that.

3 Q. So the Admission and Promotion
4 Committee has certainly something to say with regard
5 to who will be admitted to pass the examination?

6 A. Yes, certainly because every year
7 this Committee sees to the training and the examin-
8 ation of candidates during the year.

9 Q. And what are the standards followed
10 by this Membership and Promotion Committee regarding
11 the admission of candidates to the examinations?

12 A. Well Mr. Brisset we are going to
13 have a witness who will appear perhaps tomorrow who
14 will be in a position to give you far more accurate
15 information about that than I would be because we
16 have brought about certain changes. Consequently,
17 Mr. Gagne, who was in charge of the training of the
18 apprentices and the preparation of courses and
19 examination will be at your disposal in order to
20 give you full information about that.

21 Q. Mr. Hamelin you are doubtless aware,
22 because I am sure that you know the By-Laws of the
23 Society very well, there is a By-Law that provides
24 that an amendment or a revision of the By-Law cannot
25 be done unless 80 per cent of the members consent to
26 that amendment or revision. I am talking about the
27 By-Laws of the Society.

28 A. Yes, I am aware of that.

29 Q. I notice that in 1961 I think there
30 has been an amendment made, or in 1962 I am not quite



1 French

2 sure but there was an amendment brought about in
3 the By-Laws of the Society at the same time as the
4 By-Laws of the Corporation?

5 A. Yes.

6 Q. On the other hand, if you refer
7 to Exhibit 777, I am not quite certain about the
8 number of the exhibit, you will notice that at the
9 meeting at which this amendment was adopted, there
10 were 80 members who were in attendance out of 108
11 or 107 which is not the required majority.

12 Q. In what year?

13 THE CHAIRMAN: I think that this is
14 Exhibit 778 and you refer to paragraph 304 of the
15 brief.

16 A. Because if you are talking about the
17 Society, well the proxies were valid.

18 MR. BRISSET: What is the paragraph your
19 lordship?

20 THE CHAIRMAN: 304 on page 119 of the
21 English text of the brief.

22 Q. In order to clarify a point, Mr.
23 Hamelin, could you please tell me from memory at
24 what annual meeting the By-Laws of the Society of
25 the Corporation were amended? Was that the year
26 1961 or 1962?

27 A. From memory well in 1961.

28 Q. So I notice at paragraph 304 of
29 the Federation brief that that year at the general
30 meeting there were 80 members in attendance out of



1 French

2 107 which would not give the absolute majority. Could
3 you please explain to me? There might be members
4 in attendance through proxies, is that the explanation?

5 A. Well no, we cannot have a proxy
6 at meetings of the Corporation. We have the right
7 to have proxies when we had the United Montreal Pilots.

8 Q. Then would another explanation be
9 by incorporating the By-Laws of the Corporation and
10 those of the United Montreal Pilots, they have
11 deleted that By-Law stating that 80 per cent of the
12 members were necessary in order to render an amendment
13 in the By-Laws valid?

14 sh MR. LALONDE: My lord, I don't want to
15 give any legal argument. I am sure my friend and
16 myself are certainly more competent than the witness,
17 without prejudicing the quality of the witness at
18 all to argue about this. My friend has in his
19 hands I think an exhibit which I produced and which
20 one is about particularly the United Montreal Pilots
21 and its amendment to the partnership called United
22 Montreal Pilots 1943 and which provides specifically
23 that decisions, By-Laws and all other Acts of the
24 Corporation are automatically Acts of the Association
25 or partnership which, in effect, is what happens when
26 these amendments are passed by the Corporation.
27 The effect of this amendment to the Partnership Act
28 was approved by an overwhelming majority of over
29 80 per cent, by quite a margin since well over 115 are
30 members of the Corporation so by amending the



1 English

2 Partnership Act that way they don't require, in effect,
3 80 per cent majority for any amendment, for passing
4 By-Laws of the Corporation which in effect becomes
5 a regulation of the partnership and that is the
6 explanation. I agree with my friend.

7 I don't think the witness would be in a
8 position to elaborate further on this point.

9 (THROUGH THE INTERPRETER.)

10 Q. I am satisfied with the answer
11 of my colleague which, in fact, is the answer to the
12 question. You were nice enough Mr. Hamelin to file
13 a report of the President for the fiscal year 1961.
14 This was the annual report and I would like you to
15 add to that exhibit, which is Exhibit 779 the annual
16 report of the President for the year 1962. You
17 were President last year?

18 A. No.

19 Q. Is it this year?

20 A. Yes, last year it was Mr. Tremblay.

21 Q. So you would be in a position to
22 produce the annual report of the President for the
23 year 1962?

24 A. Yes.

25 Q. To be added to Exhibit 779.
26 You talked about your objections to the fact that the
27 changeover of pilots in your District be made in the
28 future in Sorel instead of Three Rivers as is the
29 practice at the present time. You have told us that
30 this matter was subject to lengthy studies. Could you



1 French

2 please tell me if Committees sat in order to study
3 that matter?

4 A. In the proposed period there was
5 a Committee that sat, Committee composed of people
6 outside of pilotage to study that question.

7 Q. At that time was that not simply
8 in order to find out if it would be advisable or not
9 to divide the District in two sections?

10 A. Well it comes about the same thing.
11 Naturally if we were to make a division at Three
12 Rivers it was to divide the District in two, to have
13 a changeover of pilots at Three Rivers for safety
14 measures and humanitarian measures.

15 Q. So at that time you had to decide
16 exactly on what location the changeover of pilots should
17 occur because it seemed to be granted that the
18 District had to be divided and taking into account
19 existing circumstances or conditions after the war,
20 that is between the years 1945 and 1948 it has
21 been decided that Three Rivers would be the most
22 logical location. Is that the fact?

23 A. Yes, because in the first place
24 it was the ideal location in order to balance, more
25 or less to adjust the work of each of the two
26 divisions.

27 Q. Don't you think Pilot that since
28 the year 1948 the conditions have changed considerably
29 if we take into account the increased speed of
30 vessels especially?



1 French

2 A. Yes, there has been an improvement
3 in the speed of the vessels and then there has been
4 a great increase in the tonnage of vessels, the number
5 of vessels and the increase in the number of vessels,
6 more navigation and as other witnesses before me have
7 stated the fact that we work far more during the
8 nighttime than daytime no longer compensates for
9 this increase in the speed of the vessels.

10 Q. Are you not also in agreement ever
11 since the end of the last World War, that is, let
12 us say 1948, speaking for the few years after the
13 war, there has been a considerable development on the
14 south shore between Montreal and Sorel which requires
15 the service of harbour pilots?

16 A. Well I wouldn't be ready to say
17 that they would require the service of harbour pilots
18 because at the present time let us say the pilots
19 of the District Three Rivers-Montreal board the vessel
20 at Three Rivers and bring them into Montreal as well
21 as elsewhere, at Sorel, at Contrecoeur.

22 Q. You don't recommend Mr. Hamelin
23 that the system of harbour pilots in the Montreal Harbour
24 be abolished because the River pilots can do the
25 work as well?

26 A. No, of course not. On the contrary
27 because the River pilots have quite enough on their
28 hands at the present time. Even with the best will in
29 the world they couldn't even do more work than they
30 do at the present time.



1 French

2 Q. How many apprentice pilots do you
3 have in your District at the present time?

4 A. 25.

5 Q. These apprentice pilots Mr. Hamelin
6 at the present time they do perform the trip between
7 Quebec and Montreal and train for the whole District?

8 A. Yes.

9 Q. In order to be in a position to
10 perform their duty in any section between Montreal
11 and Quebec?

12 A. Yes, according to the requirements
13 of the service, yes.

14 Q. In other words, the apprentice
15 pilot at the present time can work between Montreal
16 and Sorel or Sorel and Quebec?

17 A. Yes. But about this question of
18 apprenticeship, well we have tried it last year but
19 we will have to increase the number of apprentices
20 in order to fill all the positions in future years
21 because 25 apprentices are not enough.

22 Q. How many do you think would be
23 required within the Montreal-Quebec District at the
24 present time?

25 A. At least 35.

26 Q. Do you have some persons that would
27 be ready to enter in the service of pilotage?

28 A. Yes.

29 Q. So you would simply have to appoint
30 them or have them accepted as apprentice?



1 French

2 A. Yes.

3 Q. You have told us, if I understand
4 you properly, that the distance existing between Quebec
5 and Three Rivers was 71 miles?

6 A. Yes.

7 Q. Do you know what the distance
8 between Quebec and Les Escoumains is?

9 A. Yes, 123 miles.

10 Q. And the distance between Quebec
11 and Sorel?

12 A. 100 miles but the type of work is
13 not the same.

14 Q. In order to go from Sorel to Three
15 Rivers, or vice-versa, is it not a fact to say that
16 the main part of the River through which you have
17 to navigate is the Lake St. Peter?

18 A. The main part, you mean between
19 Sorel and Three Rivers? Yes.

20 Q. You know that part of the River for
21 having navigated in it before the District was
22 divided?

23 A. Yes.

24 Q. Are there any particular difficulties
25 in Lake St. Peter?

26 A. It's just like any dredged channel.
27 You only have to see to it that you ---

28 Q. Remain in the channel. Did you
29 have the opportunity of consulting with pilots of the
30 Montreal Harbour regarding the changeover of pilots



1 French
2 in Sorel?

3 A. Yes... We discussed that.

4 Q. Are you aware that a few years ago
5 pilots of the Montreal Harbour had recommended, or
6 suggested that the changeover of pilots of the
7 Harbour be done at Sorel?

8 A. No, I wasn't aware of that.

9 THE CHAIRMAN: Are there any further
10 questions to be asked of Captain Hamelin?

11 Q. Mr. Hamelin, when I say a few years
12 ago, I might tell you two years ago in order to be
13 more accurate.

14 A. Well I have heard that. Somebody
15 had talked about that with the Shipping Federation
16 but I saw no official document about that or the
17 people who told me about that were not in a position
18 to certify that fact.

19 THE CHAIRMAN: So this evening Mr. Hamelin
20 there is still the counsel for the Commission who
21 will have some questions to ask you so we are going
22 to adjourn until tomorrow morning at ten o'clock and
23 other counsel who have some questions will have an
24 opportunity to put them then.

25
26 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

27 THURSDAY, THE 21st OF NOVEMBER, 1963.

28
29 * * * * *
30

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL, QUE.

VOLUME No.:

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DATE:

21 NOV. 1963

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THE ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Old Courthouse
Building, Montreal, Quebec,
on Thursday, the 21st day
of November, 1963.

COMMISSION :

The Honourable Mr. Justice Bernier	Chairman
Mr. Robert K. Smith	Member
Mr. Harold A. Renwick	Member
Mr. Gilbert Nadeau	Member

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. J. Richards	for the Canadian Merchant Service Guild
Mr. J. Brisset, Q.C.	for the Shipping Feder- ation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid- St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corp- oration of the Upper St. Lawrence Pilots.



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1 ---UPON RESUMING AT 10:00 A.M.
2 Thursday, November 21st, 1963.

3 LORENCE HAMELIN, re-sworn

4 MR. JACQUES: Before we go on I would
5 like to read an extract from the Notice to Mariners
6 dated November 8, 1963, Notices 917 to 937. This refers
7 to the ice-breaker services available in the St. Lawrence
8 River. Notice No. 937 reads as follows:

9 "St. Lawrence River, Quebec Harbour
10 to Montreal Harbour, assistance of
11 ice-breakers, commercial shipping
12 using the St. Lawrence River Ship
13 Channel between Montreal and Quebec
14 is hereby warned that floating aids
15 to navigation cannot be depended upon
16 after November 30th owing to possible
17 ice conditions. Commercial shipping
18 is also warned that ice-breaker ass-
19 istance to ships will not be available
20 in this area. A small force of ice-
21 breakers will be working there, but
22 this will be for the sole purpose of
23 preventing flooding. Authority, Director
24 of Marine Works."

25 MR. LALONDE: For the purpose of the
26 record I would like to state I have completed Exhibit
27 774 from which a few pages were missing.

28
29 FRENCH

30 CROSS-EXAMINATION BY MR. JACQUES:



1 FRENCH

2 Q. Pilot Hamelin, did you actively part-
3 icipate in the talks which took place for the setting
4 up of the Pilots' Corporation?

5 A. (No interpreted answer)

6 Q. Would you indicate the main reasons,
7 the dominant reasons for the decision taken to set up
8 the Corporation?

9 A. The main reason was this: we had a
10 Society which was more or less outmoded, perhaps it had
11 been useful in the old days, but in modern times we
12 felt that we might as well start a new chapter, so to
13 speak, setting up something that would be in line with
14 the times.

15 Q. Now, it was said that the society
16 when you were one of its officers -- did it ever happen
17 to you that you had difficulties with the successions of
18 deceased pilots?

19 A. No, not that I can recall. But perhaps
20 our bookkeeper could remember of a case, but I don't
21 remember any offhand.

22 Q. I have become aware of Exhibit 774
23 containing the minutes of the various Assemblies, and
24 I have read at one point that there had been some questions
25 of asking for a secret vote on the question. Do you
26 recall this?

27 A. Yes.

28 Q. Was the vote held?

29 A. I couldn't state. The question came
30 up in the General Assembly on this matter. In the



1 FRENCH

2 Minutes you could probably see whether or not -- perhaps
3 it wasn't in the Minutes. Well, as regards to the secret
4 vote I couldn't tell you.

5 Q. It appears from the Minutes that
6 Mr. Gerin Lajoie went to the Assembly to explain how the
7 Corporation worked, the By-laws of it?

8 A. Yes, that is true.

9 Q. Amongst the explanations given did he
10 deal with the formula for request for membership or
11 application for membership?

12 A. Certainly. He explained to the members
13 in what way they would proceed.

14 Q. Did he explain to the members the
15 context of the formula for application for membership?

16 A. I don't remember if the context was
17 (interpretation ended).

18 Q. Did he explain to the members that
19 the Society would continue to exist parallel with the
20 Corporation?

21 A. I don't know if it was brought up in
22 the General Assembly. I couldn't tell you if it came
23 up in the General Assembly.

24 Q. Was it never discussed at any time
25 with the Directors of the Society?

26 A. Yes, I think once we had decided that
27 we should maintain or abolish the Society and the general
28 opinion was to continue with the Society until its
29 expiration.

30 Q. What was the motive to support this



1 FRENCH

2 decision?

3 A. Because there were people who weren't
4 in the Corporation and it wasn't felt that they shouldn't
5 be unorganized?

6 Q. Well, at that time was the Corporation
7 set up?

8 A. Yes.

9 Q. Was this context drawn up before the
10 setting up of the Corporation?

11 A. The context...

12 Q. Request for membership?

13 A. Oh yes, most certainly they were pre-
14 pared beforehand, but the discussions as to whether or
15 not we should abolish the Society came later.

16 Q. But the text for requesting for member-
17 ship as Exhibit 772 makes the revocation and annulment
18 of the Society or cancellation of the Society, abolition
19 of the Society -- this came up from the Director's
20 Office and said you will agree if the Bureau feels this
21 is proper?

22 A. Well, when it came before it to be
23 decided whether or not in their judgment to abolish or
24 continue this question.

25 Q. So consequently, if it is so indicated
26 in the application for membership there must have
27 been some question at a given moment before the Corpor-
28 ation was set up??

29 A. I don't recall frankly whether the
30 General Assembly had a discussion on this. There were



1 FRENCH

2 so many opinions that were aired. I just don't remember.

3 Q. Perhaps we should subpoena Mr. Gerin
4 Lajoie. Were you one of the Officers of the Corpor-
5 poration at the time of the setting up of the Pilots
6 in Montreal Harbours?

7 A. Yes, sir.

8 Q. Would you tell me what motivated the
9 decision of the Pilots of the District of Montreal?

10 A. We were more or less forced to increase
11 our numbers for some years past and without any result.

12 Q. For how many years past?

13 A. Well, we weren't prepared for this
14 sudden increase in traffic and what happened was that we
15 didn't have enough pilots to really do the two tasks.
16 You see you have sixteen pilots in the Port, and perhaps
17 there wasn't so much work, but just the same there
18 was an increase going up there, 8 to 16 pilots, so at
19 a given moment we just were short of staff.

20 Q. Couldn't you have appointed Pilots for
21 the Montreal District and continue as you had before?

22 A. You mean to take people and keep them
23 with us in the organization?

24 Q. Yes.

25 A. Certainly. It was an error on our
26 part.

27 Q. An error on your part?

28 A. Yes.

29 Q. You stated that there were a lack of
30 pilots. Did you ask the Department to appoint apprentices?



1 FRENCH

2 A. Yes, we made several requests to the
3 Authorities in 1955, I think 1954.

4 Q. Was this done verbally or in writing?

5 A. Always write with regard to these re-
6 quests.

7 Q. Would you be able to check in your
8 files in the correspondence exchanged with whoever it
9 may be, the D.O.T. or the Shipping Federation concerning
10 the increase in the number of pilots after the War,
11 say since 1954 or 1955?

12 A. Yes.

13 Q. As regards the period of time necessary
14 for training staff or personnel to become Pilots on the
15 river and Pilots in the Harbour of Montreal, is it the
16 same period?

17 A. No.

18 Q. Well, the decision to set up the
19 section of Pilots in Montreal, Harbour was this not influenced
20 in your opinion by the length of time necessary?

21 A. No, the biggest influence, as I said,
22 was the lack of personnel. If we had enough men at our
23 disposal we would have been able to diversify them, so
24 to speak, through the Harbour.

25 Q. In another line of thinking your
26 bookkeeper can come and testify?

27 A. Yes.

28 Q. Are you aware of Article 22 of the
29 General Rules and Regulations of the Montreal District
30 as regard Pilotage during the winter, that is the first



1 FRENCH

2 of December or whenever it is?

3 A. First of December to the eighth of
4 April.

5 Q. Well now, did you receive complaints of
6 any kind from your members as to the application of
7 this system in the month of December?

8 A. Not to my knowledge.

9 Q. You didn't receive complaints to the
10 effect that at the beginning of December the volume in
11 maritime traffic was such that all the pilots or the
12 vessels didn't have two pilots on board and that what
13 happened was that the vessels which were the quickest
14 got there first and had two pilots whereas there were
15 other vessels less complete, less facilities aboard,
16 and they arrived later with only one pilot?

17 A. Yes. It is true we had complaints
18 from our groups. We always try to correct as much as
19 possible this shortcome but with the scanty information
20 we received from the owners of vessels of departures
21 it is quite difficult to despatch our men in a controlled
22 balanced way.

23 Q. Don'tt you think as one single pilot
24 does piloting or pilotage in December, actually carries
25 it out, don't you think the rule should be amended
26 so at least during the beginning of December the vessel
27 should be obliged to have only one pilot?

28 A. No, I think we are so anxious to give
29 service we try to make the sacrifice so there should be
30 one man or two rather than proceed on the other basis



1 FRENCH

2 because I think it is absolutely necessary to have two
3 men on board.

4 Q. Why, Mr. Hamelin?

5 A. For all sorts of reasons. You have
6 to anchor and spend hours on the bridge to supervise
7 your ship. Nobody can see if the vessels are staying
8 in the place in the ice and so a single pilot alone on
9 a vessel can spend 20, 25 hours with a Greek, for instance,
10 who don't care a damn -- don't care at all about any-
11 thing, pardon me.

12 Q. Yes, this is all very well, Mr.
13 Hamelin, but sometimes you find yourself aboard a ship
14 where you don't have all the necessary co-operation from
15 the members of the crew. There are vessels and we
16 have a number of these where you have complete and total
17 co-operation, where the Captain is on the deck, the
18 officers are on the deck. There is good supervision.
19 On those vessels isn't there something to be done?

20 A. No, sir, I will give you an example
21 which happened to me in 1955 or 1956. I was going up
22 in the snow in a vessel, had to anchor about two or
23 three miles from the Quebec Bridge.

24 Q. Wasn't this supervised?

25 A. No, there was reasonable temperature,
26 but it was snowing, very, very heavily during the night
27 and the Officer came and woke me up at five in the
28 morning, saying to me the ship is dragging, so I went
29 up to the bridge right away and we were near the Quebec
30 Bridge and this was in the winter. I think if another



1 FRENCH

2 Pilot had been on deck this couldn't have happened.

3 Q. Now, from your experience during the
4 last winter you were on a ship in bad temperature whereas
5 the transit had become (end of interpretation).

6 MR. LALONDE: If my confrere is saying
7 "retained" about a ship, does he mean for a long period
8 or was he forced to anchor aboard the ship. It seems
9 to me there is a technicality in the meaning of this.
10 Does he mean retained in the sense of being detained
11 on board the ship?

12 THE CHAIRMAN: This would be a de-
13 tention rather than a retention.

14 MR. JACQUES: Your lordship that is
15 why I wouldn't like to overspecify my question because
16 I would like to give the full latitude to the witness
17 to quote all the examples that come to his mind.

18 Q. Let us say last winter did it happen
19 to you to have your transit interrupted following
20 temperature conditions?

21 A. No, I don't think, so, not last winter
22 because the main reason was that I only made one trip.

23 Q. Let us say -- that was winter 1962
24 to 1963. What about the winter 1961 to 1962?

25 A. I was obliged -- I had been aboard
26 a vessel in the ice. I was obliged to go and come
27 back on two occasions.

28 Q. Two times last winter?

29 A. No, the other winter.

30 Q. The previous winter?



1 FRENCH

2 A. Yes.

3 Q. What month?

4 A. February, I think.

5 Q. February. In the month of December?

6 A. Month of December, I don't recall. I
7 couldn't tell you.

8 Q. In the winter of 1960 to 1961, what
9 about that winter?

10 A. Well, this ~~arose~~ arose aboard a ship in
11 the month of December before the boats are caught.

12 Q. Well then, would you like to take these
13 two periods of the year?

14 A. I don't recall any special cases.

15 Q. Were you an officer of the Corporation
16 of Pilots during the stoppage of work in 1962?

17 A. Yes, 1962 -- 1962, yes I was.

18 Q. Could you briefly sum up the factors
19 leading to this stoppage of work as far as the Corporation
20 of the Montreal Harbour Pilots is concerned? Did you
21 have a special grievance as regards shipowners and the
22 Department of Transport?

23 A. Well, the big question was that we
24 didn't want at all to be obliged to participate in the
25 participation of certain services which were given to
26 the vessels. We didn't believe it was in our field
27 to provide those services.

28 Q. For example, those people in Quebec
29 had it. Did Montreal also?

30 A. It was all over the place, indeed up



1 FRENCH

2 to New Brunswick, the whole of Canada.

3 Q. This is just an assumption?

4 A. No.

5 Q. Were you advised by the Department
6 this retaining of 80 or 90 per cent of the District of
7 Montreal (end of interpretation)

8 A. It ~~did~~ apply in Quebec. ~~up~~ It was up to the
9 Treasury Department.

10 Q. I want to know whether you were advised?

11 A. No, not directly.

12 Q. Were you advised officially or advised
13 unofficially?

14 A. No, we saw a letter which other Dis-
15 tricts had received.

16 Q. It was just a fear or apprehension
17 you had that the same thing could happen to you?

18 A. Yes.

19 Q. Quite apart from this apprehension were
20 there other things which motivated the convening of the
21 Assemblies, the General Assembly or other Assemblies?

22 A. Well, there were two questions.

23 Q. What was the other question?

24 A. The increase in the number of pilots.

25 Q. So you are asking for an increase in
26 the number of pilots?

27 A. Yes.

28 Q. How many pilots did you want?

29 A. Four.

30 Q. Four, you were asking for four pilots?



1 FRENCH

2 A. (No interpreted answer)

3 Q. One, two, three years?

4 A. One year.

5 Q. One year you were asking for four
6 additional pilots?

7 A. Yes.

8 MR. LALONDE: Your lordship, I am in-
9 formed that a letter was sent to all of the Corporations
10 during 1961 concerning the use of part of the income
11 of Pilots for administration costs in the District and
12 I will produce, I will file a copy which was communicated
13 with the Montreal District.

14 THE CHAIRMAN: Yes, this will be
15 good. We can file it in the record.

16 MR. JACQUES: I am glad my confrere
17 mentioned it. I was asking that the Department of
18 Transport could check in the files whether this letter
19 was sent to the Pilots of the Quebec, Montreal District,
20 and perhaps you could see if letters were sent to other
21 Districts in the St. Lawrence area?

22 THE CHAIRMAN: When we get to the
23 reading of the transcript we will be able to have a
24 complete picture of what happened.

25 MR. JACQUES: Yes, your lordship. I
26 would suggest we provide an exhibit number right away
27 or hold an exhibit number available for this correspondence
28 to be produced.

29 MR. LALONDE: I am informed the Van-
30 couver Pilots received a letter or document so they must



1 FRENCH

2 undoubtedly have something of this kind.

3 THE CHAIRMAN: Unless you put it in
4 at the Ottawa hearings and we can have everything at the
5 same time.

6 MR. JACQUES: Yes, your lordship. That
7 might be preferable.

8 THE CHAIRMAN: We will see to it then.
9 We shall indicate in the record this will be done.

10 MR. JACQUES: Q. Except for this apprehension
11 that some part of your income would be taken away and
12 apart from your grievance regarding the increase in the
13 number of pilots, regarding the Assembly convened for
14 the Corporation, the starting of the stoppage of work
15 in Quebec which was directly concerned, and which at
16 that time according to the dossier did receive a letter--

17 A. The groupings were held one after the
18 other because it affected everyone.

19 Q. There was also a certain amount of
20 sympathy on the part of your colleagues in Quebec?

21 A. An interested feeling of sympathy
22 because it could be -- it was there, compensating, if
23 you will this feeling of understanding for us, sympathy
24 for us.

25 Q. Your Corporation or before that the
26 Society, did they discuss previously the possibility
27 of adopting rules or regulations or by-laws of
28 navigation?

29 A. I don't understand.

30 Q. Rules, for example, to the effect that



1 FRENCH

2 the by-laws would require -- I don't know what the ex-
3 pression in French is -- a clearance is the word in
4 English.

5 A. Yes, we discussed on several occasions
6 this matter, and two or three years ago -- I don't
7 know -- the Corporation and delegates of the Canadian
8 Merchant Service Guild through Mr. Langlois made a re-
9 quest to Ottawa to put this in practice in the Montreal
10 District.

11 Q. Would you have discussed other rules
12 and by-laws of navigation of the river, river traffic?

13 A. Well, it could be on various occasions
14 that we may have discussed private problems.

15 Q. Were any rules adopted in certain
16 cases?

17 A. There are some, like yesterday Mr.
18 Brisset was asking of By-laws that keep ships and so
19 on.

20 Q. These were By-laws adopted by the Council.
21 but I am talking of By-laws adopted by the Pilots who
22 would govern the Pilots, not necessarily directing river
23 traffic only.

24 A. Do you mean about despatching?

25 A. Could I give you an example of the rules
26 adopted by the Pilots of New Westminster, British Columbia
27 to the effect that vessels with superstructure in the
28 rear completely wouldn't be piloted at certain points,
29 at certain times of the day, wouldn't be piloted at all
30 if they exceeded this?



1 FRENCH

2 A We discussed this problem, but I think
3 we only put this suggestion into practice after the
4 War, we had a By-law which was in force for some time
5 for aircraft carriers. It was requiring two pilots
6 aboard. (End of interpretation)

7 Q. I think this was the first time I
8 have heard of aircraft carriers transporting grain.
9 Could you just tell us what was involved?

10 -----



/RPS 1 French

2 A. Well they were thousand ton ships.
3 They had decks or landing platforms on them. There
4 were freighters of 10,000 tons. There were four or
5 five here in Montreal with grain aboard after the war
6 and this rather complicated the piloting in the River,
7 especially for the departures from the berth or
8 for getting to the shore. The pilots had difficulty
9 and it was usual for two pilots on these vessels and
10 the Authority and the Canadian Shipping Federation
11 granted this.

12 Q. This is an emergency measure during
13 the war for the transport of goods, also it is a
14 measure for promoting the merchant navy vessels, a
15 question of avoiding difficulty. I think some of
16 them went regularly between Canada and they always
17 began at England.

18 If it has not already been done, could
19 you produce the minutes of the direction of the
20 assemblies of members of the Corporation regarding
21 the stoppage of work in 1962, including the notice
22 of convening which was sent, and to whom they were
23 sent?

24 A. Everybody got this.

25 Q. You will be able to look into this?

26 THE CHAIRMAN: Do you think we should give
27 it a number right away?

28 MR. JACQUES: Yes your lordship.

29 ---EXHIBIT NO. 780:

Minutes of the assembly
of the Directors and
Members regarding stoppage

30



1 French

2 of work 1962 including
3 copy of the notice of
4 convening of these
5 assemblies and indication
6 of the persons to whom
7 this notice was sent.

8 Q. Now in your memorandum you state
9 that it was recommended to limit something regarding
10 the tonnage.

11 A. Vessels about 15,000 tons were to
12 have this limitation. Yesterday I made an error which
13 I would like to correct. I said there were perhaps
14 one or two of them in our District. There are in
15 fact none which went up. I think there was one in
16 Quebec over 15,000 tons but we felt that if a vessel
17 was over 15,000 tons it should pay the pilotage dues.

18 Q. Why?

19 A. Because the bigger a ship is the
20 more it is appropriate he should pay according to its
21 size.

22 Q. Well is there anything about the
23 difficulty of piloting a vessel which is of a greater
24 tonnage rather than a smaller tonnage?

25 A. Yes, sometimes it is more difficult.
26 Sometimes you can have a great deal of difficulty.

27 Q. Well, as a general rule, could it
28 be said that the bigger a ship the harder it is to
29 pilot?

30 A. Normally, yes, especially in the
dredged channel.

Q. You said yesterday that you make certain



1 French

2 reports to the Department of Transport and you mentioned
3 three cases, discipline, slowness of decisions, and
4 lack of staff in Three Rivers. Would you indicate
5 the approaches, the criticisms you make to the
6 Department regarding discipline?

7 A. Well there are several cases of
8 discipline in the Department which should be taken care
9 of. We are very well disciplined, but there are several
10 cases sometimes where a little jolt might be a good
11 thing and I think that this is an important matter.

12 Q. Could you indicate the certain
13 cases or incidents without mentioning the names of the
14 pilots?

15 A. Well there are questions of where
16 people have had to be replaced all the time, for
17 example, and this goes on and on. I think this affects
18 the whole service and the Authority should try to
19 remedy this.

20 Q. Among your people you have regular
21 "slow coaches"?

22 A. Well we should have a system of
23 discipline which more or less is such that if people
24 don't stick to the rules, or I should say don't
25 turn up as often as they should, there should be a
26 loss of income. There are other cases of discipline
27 where other types of discipline should also be
28 applied.

29 Q. Did you complain to the administration,
30 or either to Captain Jones?



1 French

2 A. Yes. Well we complained to Captain
3 Jones on many occasions.

4 Q. Did you do that orally or by letter?

5 A. I think we have letters as well
6 but I think we complained mostly orally.

7 Q. Could you please check in your
8 files in order to find out if you wouldn't have any
9 records indicating your complaints? Perhaps sometimes
10 if your complaints were made orally, still perhaps
11 you would have an indication stating that you complained
12 about such and such a person on a given date. Could
13 you please check in your files?

14 A. Yes. We have suggested that a man
15 be suspended for a year's time and nothing has been
16 done to that effect.

17 Q. Could you please bring your record
18 concerning that suspension?

19 A. It was the Committee which was
20 abolished. That is the Joint Discipline Committee
21 that has been abolished which took care of that case.
22 We do not have the minutes on the file. Captain
23 Gendron and Captain Jones had the files.

24 Q. With regard to discipline those are
25 the only complaints that you have to bring forth to
26 the D.O.T.

27 A. Yes.

28 Q. Insofar as the slowness of the
29 decisions are concerned, could you please give us some
30 examples about that?



1 French

2 A. There are many different questions
3 that arose and well most of the time we have to wait
4 a long while before getting an answer.

5 Q. Could you please at least give us
6 some examples of these, not in all the cases that you
7 approached D.O.T. but a few of them?

8 A. At the present time our Corporation,
9 at the beginning of October and I think that the
10 letter has been sent out on October 4th to the
11 effect of increasing the tonnage for grade B. That
12 is, to increase it from 7,000 to 8,000 tons. We
13 have reached the end of November and still we have
14 not received anything to that effect and apparently
15 will have to wait another month or even more before
16 receiving an answer.

17 Q. Did you receive an acknowledgment
18 receipt of your letter?

19 A. Yes.

20 Q. What did it state?

21 A. Well it told us that the mechanism
22 was quite slow and it had to be passed by from one
23 Department to another.

24 Q. You were told that you needed an
25 Order in Council?

26 A. Yes.

27 Q. So the letter was sent out on
28 October 4th?

29 A. Yes.

30 MR. LALONDE: In order not to delay the



1 French

2 sittings, I would like to propose that a list of a
3 certain number of cases or incidents that are
4 requested, has been made on a given date and the
5 date of the answer of the D.O.T. and I will be able
6 to make a survey of the different incidents of that
7 type.

8 THE CHAIRMAN: This would be a good
9 idea and, moreover, it would help us out during
10 our investigation in Ottawa because we have to see
11 both sides of the picture. We find out if such a
12 situation, or such delay is normal or not, because
13 you know before the Court of Justice sometimes you
14 may have a ruling immediately on the spot and at
15 times it may take a year, year and a half. Everything
16 is depending on many different factors, if this
17 question is rather simple or complicated. Everything
18 is dependent upon that.

19 MR. LALONDE: I am going to file a list
20 of such incidents.

21 MR. JACQUES: Naturally the slowness
22 depends upon the nature of the staff, the complexity
23 of the problems, and so forth.

24 THE CHAIRMAN: This is what we would like
25 to find out through examples which will help us out
26 in our investigation in Ottawa.

27 MR. JACQUES: Everything is dependent
28 is it due to the complexity of the staff or subject
29 matter itself.

30 Q. Is your Discipline Committee in operation?



1 French

2 A. No. In accordance with the By-Laws
3 it does not exist.

4 Q. So the By-Law is not in force at
5 the present time?

6 THE CHAIRMAN: I suppose that in this
7 By-Law, as well as in the Articles, at the end it
8 states that the By-Law will not be enforced unless it
9 is promulgated.

10 Q. Now Mr. Hamelin a last question which
11 perhaps does not deal with the examination but I
12 would like to ask it. You have had experience through-
13 out the whole District, Quebec to Montreal for many
14 years. Could you please tell me if Maritime traffic
15 between Quebec and Montreal may come to a standstill
16 following groundings or following casualties where
17 a ship would sink? Are there certain places which would
18 give rise to such a situation?

19 A. Yes, many.

20 Q. Could you please tell me about them?

21 MR. LALONDE: While my colleague is bringing
22 forth a chart, I would like to draw your attention to the
23 fact the resolution, or revision of By-Laws in 1961
24 does not include a Discipline Committee and when
25 the revision of the By-Laws had been done, the
26 Corporation had decided not to enforce this By-Law.
27 It was decided to repeal that part entirely and
28 not to reproduce it in the revision of the By-Laws
29 but prior to 1961 this situation was such as you
30 mentioned beforehand, that is, there was a clause stating



1 French

2 that this part of the By-Law would be in force only
3 upon ratification.

4 THE CHAIRMAN: The difference here in
5 Quebec is that in Quebec this clause is still in the
6 By-Laws but it is not in force here. It was repealed
7 because it was not in force?

8 MR. LALONDE: Yes.

9 Q. I would like to show you here a chart
10 of the D.O.T., St. Lawrence Ship Channel between
11 Montreal and Quebec which extends all over your
12 own District.

13 THE CHAIRMAN: I think that this chart
14 has already been filed as an Exhibit.

15 MR. JACQUES: Yes your lordship but I
16 don't remember the number of the exhibit.

17 THE CHAIRMAN: Mr. Land in his evidence
18 filed that exhibit.

19 Q. Starting at Montreal, could you
20 please indicate the location where a ship that has
21 sunk or run aground could bring to a standstill the
22 whole shipping traffic.

23 A. In the Montreal Harbour I wouldn't
24 like to make comments because there has been a great
25 deal of change ever since we have dredged the Harbour.
26 Consequently, I wouldn't risk making comments stating
27 that a large ship could close the traffic but
28 Ile a Vaches up to Cap St-Michel well there may be a
29 large tonnage ship, if it runs aground transversely
30 could bring the shipping to a standstill.



1 French

2 Q. Completely?

3 A. Yes. If it was a ship of a
4 700 or 800-foot length.

5 Q. This is a large ship according to
6 you?

7 A. Yes, then from Cap St-Michel to
8 Ile Bouchard it could also happen but in the channel
9 of Contrecoeur, today the channel has been widened
10 to 800 feet but everything would be dependent upon
11 the way in which the vessel would run aground. There
12 are many places such as Lake St. Peter, perhaps it
13 would be less dangerous there in Lake St. Peter
14 because you can always open one side or the other
15 of the channel and then below Three Rivers, starting
16 at Bastican extending to Grondines, if you had a
17 large vessel which went aground in therein the channel,
18 then it would be impossible to pass.

19 Q. According to your best recollection
20 did it ever happen that the shipping traffic has
21 been brought to a standstill between Quebec and
22 Montreal following groundings?

23 A. Well in the Montreal Harbour here
24 there has been a vessel which sank at pier No. 3.

25 Q. I am sorry to stop you now. We
26 already have in evidence about that concerning the
27 Montreal Harbour. Let's exclude the Montreal Harbour.

28 MR. LALONDE: If the witness states that
29 he is ready to give evidence about that, and he was
30 a pilot in that District at that time, he can give



1 French

2 evidence to that effect.

3 MR. JACQUES: Well I told him we already
4 had evidence because we might have shortened the
5 debate because it was already mentioned at the first
6 hearing in Montreal. All right, I don't want to keep
7 the witness from talking.

8 THE CHAIRMAN: If the witness has anything
9 to add, he may do so.

10 A. I wouldn't like to get back to that
11 matter, but at that time I wasn't really and truly
12 in the harbour at that time so naturally the rest of
13 the Montreal Harbour would be in a better position
14 to give you details about that.

15 Q. During your years of apprenticeship
16 in pilotage, did it ever happen that you found out that
17 the traffic had been brought to a standstill?

18 A. Well I can't remember very well;
19 not for a vessel that might have closed the channel
20 but one must say that the length and the tonnage of
21 a vessel at that time was not the same as today, even
22 if one increased the width and depth of the channel,
23 the difference between that and the increase in
24 tonnage of the vessels cannot be compared. Naturally
25 today the vessels are far larger than the increase
26 in the depth in the channel, comparatively speaking.

27 Q. Thank you.

28 THE CHAIRMAN: The exhibit used by the
29 witness has been filed as Exhibit 486.

30 MR. JACQUES: Thank you your lordship.



1 French

2 MR. BRISSET: If I understood you properly,
3 Mr. Hamelin ---

4 MR. JACQUES: I am sorry Mr. Brisset,
5 unfortunately I have forgotten a very important
6 problem.

7 Q. Mr. Hamelin, could you please show
8 on the chart, chart 1336, Exhibit 446, that is from
9 Champlain to Lake St. Peter, could you please indicate
10 on that chart the location where the famous Three
11 Rivers bridge would be built or is to be built and
12 also the work that would be necessary in order to
13 allow vessels to turn around at that particular
14 location?

15 A. Here is the place (indicating).
16 This indicates where the bridge is to be built.

17 Q. I will put a black line on Exhibit
18 446. And where does the vessel turn?

19 A. We turn right here (indicating) below
20 these buoys. This is our turning point.

21 Q. Below buoys 63C and 62C or to the
22 south limit of the anchorage section. And if the
23 bridge is built, and you say that it would be, perhaps,
24 but you would have to dredge in order to increase
25 the anchorage area?

26 A. Yes. This is what Mr. Land told
27 us. It was a suggestion he was making. Perhaps it
28 was not done in an official manner. He told us that
29 perhaps he could dredge a basin.

30 Q. Could you please indicate it on Exhibit



1 French

2 446?

3 A. He would dredge a basin starting
4 at the western side of shed 20 in Three Rivers in a
5 southwest direction like that and which would extend,
6 at least we hope, up to that buoy, buoy 53C.

7 Q. Indicating on Exhibit 446.
8 If I understand correctly what you have just explained,
9 it would be just in front of Three Rivers and below
10 the site proposed for the bridge?

11 A. Yes, in order to compensate for the
12 loss of anchorage area here. He told us he would
13 withdraw this shore (indicating).

14 Q. Could you please indicate it?

15 A. He would withdraw this here (indicating)
16 so it would allow us to anchor vessels.

17 Q. Now if you want, we are going to
18 identify these places: south of the bridge is indicated
19 with letter A, and the location where there perhaps
20 would be some dredging in order to make way for a
21 turning basin and an anchorage area would be indicated
22 by the letter B on the chart and the dredging that
23 would be undertaken at the entrance of Lake St. Peter
24 is indicated by the letter C. Now what would be
25 the use of that area at the entrance of Lake St.
26 Peter?

27 A. Well at times there are 12 or 13
28 vessels anchored here.

29 Q. Above the bridge?

30 A. Yes. So they can start anchoring



1 French

2 vessels here. That would be far more space.

3 Q. At the exit of Lake St. Peter?

4 A. Yes.

5 Q. Could you turn also at the exit
6 of Lake St. Peter?

7 A. Yes. Whenever there is a strong
8 wind, or if you have some vessels anchored here
9 at the regular area, sometimes you are not in a position
10 to turn. Naturally with your turbines, you need
11 a great deal of space to turn.

12 Q. Thank you.

13
14 CROSS-EXAMINATION BY MR. BRISSET:

15
16 Q. Mr. Hamelin if I understood your
17 evidence correctly you do not recollect, ever since
18 you have been an apprentice pilot or a pilot with
19 the navigation between Montreal and Quebec there has
20 been a stoppage or blocking following a casualty?

21 A. No, I cannot recollect Mr. Brisset.
22 Perhaps it did happen but I don't remember.

23 Q. But it did happen? Well a certain
24 number of accidents, occurred, let us say, ever
25 since 1945, either some groundings or vessels that
26 had sunk between Montreal and Quebec following
27 casualties?

28 A. Yes.

29 Q. In those cases the pilots have
30 received a notice to slow down when they pass near the



1 French

2 grounded vessel or when a wreck was at the bottom of
3 the River?

4 A. Yes.

5 Q. This is the way in which the
6 navigation was affected following those casualties.
7 If that a fact?

8 A. Yes, but if I remember correctly
9 I remember in Ile a Roches there were two that
10 ran aground simultaneously outside the channel. I
11 think that the counsel for the Commission asked me
12 if a large vessel that was running aground in the
13 channel, and it could touch the two sides of the channel
14 at the same time simultaneously. This was the
15 hypothetical case he arose.

16 Q. Now concerning discipline, Mr.
17 Hamelin, two incidents were mentioned before this
18 Commission, incidents concerning the vessel THORS
19 CARRIER and another vessel whose name I cannot
20 recollect at the present time. Are you aware if the
21 D.O.T. took the necessary disciplinary steps against
22 the pilot involved ever since the end of the hearing
23 of last month?

24 A. Yes.

25 Q. And what was the sanction taken
26 by the D.O.T.?

27 A. Well I think that this gentleman
28 has been suspended ever since last week and this is
29 for the rest of the navigation season.
30



1 French

2 RE-DIRECT EXAMINATION BY MR. LALONDE:

3
4 Q. My colleague had asked the witness
5 to produce the report of the President of the
6 Corporation of Mid-St. Lawrence Pilots and also of
7 the United Montreal Pilots for the year 1962, which
8 was Exhibit 779. Could you please tell us, Mr. Hamelin,
9 if this is the report for the year 1962?

10 A. Yes.

11 THE CHAIRMAN: This can be added to the
12 report of the year 1961 already filed as Exhibit 779.

13 Q. We already have as evidence before
14 the Commission that the channel within your
15 District is about 550 feet wide over a distance of
16 50 miles. Are you in agreement with this evidence?

17 A. Yes.

18 Q. Would it be possible for a vessel
19 running aground within the channel to do so transversely
20 to the channel?

21 A. Yes.

22 Q. In such a case what, according to
23 your mind, would be the length, the minimum length
24 of a vessel which might succeed in blocking and stopping
25 the navigation on the St. Lawrence if she ran aground
26 in this position in the channel?



RPS 1 French

2 A. Everything is dependent on location
3 and everything is dependent on the depth in the place.
4 I mentioned especially at Cap a la Roche the vessel
5 will not be able to, the ship will not be able to
6 get out, a vessel of 700 feet will certainly close
7 navigation.

8 Q. If you had a channel 550 feet wide
9 and a vessel running aground in that channel would
10 that be a vessel 100 feet, 200, 300, 500, that would
11 succeed in blocking navigation?

12 A. Well, we would need a vessel of 600
13 feet.

14 Q. Even in a channel 550 feet wide?

15 A. Yes. If something goes wrong
16 we can always bring it out of the channel slightly
17 and perhaps we may win this way 100 feet to our
18 width in which to move.

19 MR. LALONDE: As was perhaps with the
20 TRITONICA -- that is absolutely nothing.

21 THE CHAIRMAN: I think that the problem
22 was not that because the channel was much wider at
23 that particular place.

24 MR. LALONDE: Yes, my lord. Thank you
25 Mr. Hamelin.

26 THE CHAIRMAN: Are there any further
27 questions to put to Mr. Hamelin? Thank you.

28 MR. LALONDE: Now, Mr. Bernard Belanger.
29
30



French

BERNARD BELANGER, Sworn

Q. Would you state your full name?

A. Bernard Belanger, Pilot on the
St. Lawrence between Montreal and Three Rivers.

Q. Could you please give your age to
the Commission?

A. 48.

Q. Since when have you been a pilot
in the Montreal District?

A. I have been a pilot for 12 years.

Q. What grade of pilot do you belong
to?

A. Grade A.

Q. Mr. Belanger, I would draw to your
attention two documents. One is entitled Here Are
My Trips For The Year 1961 and the other one Here
Are My Trips For The Year 1962. Could you please
indicate to the Commission what is the nature of the
contents of these two documents? First of all were
the documents prepared by yourself?

A. These documents were prepared by
myself and I might add that this is one of my tricks.
I like to keep a record of my previous work in order
to have something to look at when I retire. This
would make my reminiscences.

Q. Could you please indicate to the
Commission what is the nature of the document?

A. Well, it is the time I use while I



1 French

2 am called forth or summoned for a vessel, time of
3 departure of the vessel, the duration of the trip
4 and my time of arrival and I offered them to Mr.
5 Lalonde when I heard there was an investigation on
6 pilotage. I offered him these entries for the past
7 two years.

8 Q. Did somebody ask you to prepare these
9 documents for the purpose of the Commission?

10 A. No, not at all, because I have
11 others.

12 Q. Do you think that the information
13 that is contained in these documents is accurate?

14 A. The information is accurate according
15 to the best of my knowledge, but naturally I wouldn't
16 try to trick myself or be a traitor to myself.

17 Q. I notice in this document you have
18 every time the hour at which you are called and the
19 time at which you arrived on board the vessel. Do
20 you note on each trip the information contained in
21 these documents?

2 22 A. This information contained in
23 these documents -- I write it in a little black book
24 I always carry with me in order to enter all the
25 arrivals and departures in case I make a mistake
26 in my pilotage card, and thus I can refer to the
27 little black book in order to sort of correct the
28 situation if need be.

29 MR. LALONDE: Your lordship, I would
30 like to file these documents, List of Trips Made by



1 French

2 Pilot Bernard Belanger for the years 1961 and 1962.
3 These documents include, my lord, in every case the
4 hour at which the pilot was called to an assignment
5 and the hour at which the pilot reached the vessel,
6 the means of transportation, the hour of departure,
7 the hour of arrival of the vessel. Naturally this
8 is information that will be extremely useful for the
9 Commission and as the witness has indicated this
10 information was given to me without my asking for it.
11 I think it is one of the documents that may be extremely
12 useful for the Commission insofar as the work of
13 pilots of this District is concerned.

14 THE SECRETARY: Exhibit 781.

15
16 ---EXHIBIT NO. 781:

List of trips made by
Pilot Bernard Belanger
for the years 1961 and
1962.

17
18
19 MR. LALONDE: Q. I noted in this case,
20 Mr. Belanger, that occasionally you take taxis, cabs?

21 A. Cab is the most effective means
22 of arriving on time at a job, the time we are given
23 as to be needed there, the time a person is sleeping
24 or can't turn up for work -- he has to get dressed and
25 so sometimes there is no other means of transport
26 other than a cab enabling you to get there on time.

27 Q. Is this for the ship to pay or do you have
28 to pay it?

29 A. We pay it.

30 MR. LALONDE: Thank you very much sir.



1 French

2 THE CHAIRMAN: Would you like a few minutes
3 to look at the documents before questions are put?

4 MR. BRISSET: I have two or three questions
5 your lordship, but I would like to ask the court's
6 permission to recall the witness if necessary following
7 an examination of the exhibit.

8 THE CHAIRMAN: We don't wish to keep the
9 witness here too long. I think we could adjourn shortly
10 for a few minutes and you could look at the document
11 during the adjournment and tell us if you need the
12 witness still or not.

13
14 CROSS-EXAMINATION BY MR. BRISSET:

15
16 Q. Mr. Belanger, you told us that in your
17 record of trips you noted the hour at which you were
18 called for each trip. Now, the hour at which you were
19 called for each trip, is that an hour which is fixed
20 according to the By-Laws of the District?

21 A. The hour or time, the time called
22 is according to the By-Laws, yes.

23 Q. Well then, for a trip, let us say
24 from Montreal to Three Rivers how long before your
25 hour of departure on the vessel are you to be called?

26 A. This can vary from half an hour to
27 two hours. There is also reserve time of 5, 8 hours
28 ahead of time I have to be on the quay.

29 Q. Well then, in those cases that you
30 have taken account of in the document which you have



1 French

2 submitted to this Commission do you note the reserve
3 time in these cases where you were reserved let us
4 say 7, 8 hours ahead?

5 A. Oh yes, I note everything, the reserve
6 cases and the notification cases to go on board such
7 and such a vessel.

8 Q. Taking a particular case where you
9 are reserved for a vessel, can you take such a case?

10 A. I am normally reserved for the
11 5,000-ton cases, class A.

12 Q. With the class A would you be notified
13 much longer ahead than any other vessel?

14 A. Yes, inas much as the number of pilots
15 is restricted for those, and also because it depends
16 -- it is an agreement which is in our By-Laws.

17 Q. When you are reserved for class A
18 ships having been called seven hours ahead you don't
19 have to undertake other undertakings on a class B
20 vessel?

21 A. I am not undertaking another commitment
22 on another vessel, let us say because I am reserved
23 for class A, but there is nobody who knows the hour
24 of departure of the vessel is such and so and I have
25 to be on the quay and ready to go on one minute's
26 notice.

27 Q. You are telling us that the most
28 effective way for going from your abode to the vessel,
29 you as a pilot, is by cab. Now, in your report, your
30 income tax report I understand you are entitled to a



1 French

2 certain allowance for expenses; is that true?

3 A. Very, very small.

4 Q. What is the amount? Isn't it \$1,500?

5 A. No. On that I could ask the bookkeeper
6 than does my income tax deductions because I don't
7 know anything about this.

8 Q. After the amount of deduction that
9 is required -- what is the amount given to you last
10 year?

11 MR. LALONDE: This is purely personal
12 for the witness and I think my confrere is trying to
13 know the real expenditures -- I think really that this
14 should not be put to the witness. It is something
15 personal regarding his income tax. The President
16 of the Corporation is here and can give us information
17 on the proportion of the income automatically, I think.
18 I trust this would be possible. I think my confrere
19 is going rather far here. I object most formally
20 to this type of question on personal income tax returns.

21 Your lordship, if my confrere is trying
22 to indicate what is deducted as regards income at the
23 end of the year I think this could be done automatically.
24 We can see the expenses of the pilots as recognized
25 by the income tax authorities in a legitimate way.

26 THE CHAIRMAN: We could even go further
27 by saying what is the amount actually spent last year.

28 MR. LALONDE: He could very well do this,
29 but you can't ask the witness what he did on his
30 income tax return.



1 French

2 THE CHAIRMAN: (Not interpreted.)

3 MR. BRISSET: Would you tell me what were
4 your expenses, your transport expenses as compared
5 with your pilotage tasks in the year 1962 in regard
6 to trips as noted in the documents produced?

7 A. I couldn't tell you off the cuff
8 without checking.

9 Q. But you have a figure?

10 A. You could work it out yourself
11 according to my reports because I note the spot where
12 the ship is and its arrival and departure and I live
13 at Hopital Ste. Francois Cabrine. Can you work
14 it out?

15 Q. Where do you exactly live? What
16 is the address?

17 A. 6715 Lenay -- Hopital Ste. Francois
18 Cabrine au Ste. Zotique.

19 Q. Do you have a note of your expenses
20 for cabs and so on?

21 A. I don't have an account of the
22 expenses such as taxis and the rest. Often I take
23 my own car. My wife drives me. I would
24 say this should be included as taxi expenses,
25 the expenses are the same. There is no other means
26 enabling me to arrive on time but causing a delay
27 in navigation except in my car or a taxi, especially during
28 the busy hours. During the night the transportation
29 isn't very good other than taxis or cars.

30 Q. Well, generally can you tell me



1 French

2 if you use more often your car or more often the taxi?

3 A. More often the car usually, the
4 taxi fairly often.

lish 5 THE CHAIRMAN: Mr. Mason do you have
6 any questions?

nch 7 (THROUGH THE INTERPRETER.)

8 THE CHAIRMAN: Any other questions of the
9 witness?

10 MR. JACQUES: I would like to examine
11 the documents, my lord.

12 THE CHAIRMAN: Then we will adjourn for
13 a few minutes.

14
15 ---A SHORT RECESS.

16
17 ---FOLLOWING THE SHORT RECESS:

18
19 CROSS-EXAMINATION BY MR. BRISSET (CONTINUED):

20 Q. Mr. Belanger, I noticed upon
21 reading your compilation of trips for the year 1962
22 that you reached a total of 156-1/2 trips, and if
23 I understand your figures properly and the way in
24 which you compare your statistics you have accomplished
25 81 trips for grade A and the rest would be trips of
26 class B or grade B?

27 A. Yes, that is correct.

28 Q. Could you please explain briefly
29 to the Commission which way or what method you used
30 in order to number your trips so that everything would



1 French

2 be clear?

3 A. In order to number my trips, well,
4 I use the same method as is done with the pilotage
5 card, all the information written on the pilotage
6 card in order to help in the office. If we write down the
7 trips of grade A and grade B, in order to assist
8 their work generally, we accomplish half of our trips
9 in grade A and the rest in grade B. Perhaps this
10 trend changes slightly during the end of the year.
11 Have I answered your question completely or would you
12 rather question me about that?

13 Q. Could you please refer to the
14 compilation of trips for the year 1962 on the last
15 page and explain to us how you arrive at the figures
16 on the righthand side of the sheet?

17 A. You mean the figure 156-1/2 for
18 B?

19 Q. 156-1/2 and 81.

20 A. The total of my trips was 156-1/2,
21 the one-half includes trips outside of the Montreal
22 District, that is over to Varennes up to Contrecoeur
23 where because there was a failure in the engine or
24 the destination was to Contrecoeur, this accounts
25 for half a time. Included amongst that I have trips
26 of grade A which total 81.

27 Q. Is the word trip the same as turn?

28 A. Well, it is exactly the same thing,
29 one turn or one trip, are equivalent.

30 Q. I notice upon reading your compilation



1 French

2 for the year 1961 -- I didn't have time to read it
3 in detail, but in certain cases you allocate your-
4 self one trip and a half, or one turn and a half,
5 what I would call one trip, and I would like to refer
6 you more especially to an entry made on May 7th, 1961
7 on page 3.

8 A. I don't have the one of the year
9 1961. I have the one of '62 but the other gentleman
10 has it.

11 Q. If you refer to the bottom of page
12 2 you will notice that at the end of the trips,
13 you have written down a total of 14 trips, six of
14 which were accomplished in grade A and the rest were
15 grade B trips. Now, if we go on to the next
16 entry I notice that at the end of the trips you have
17 for the following one a total of 15-1/2 trips. Could
18 you please explain to me for what reason in the case
19 of that particular trip you have allocated yourself
20 one and a half trips?

21 A. This is due to the fact that there
22 was a stop during the trip. As soon as there is a
23 stop somewhere the trip is completed. The second
24 trip or part second trip starts again after that.

25 Q. Could you please give me the details
26 for the trip where you recorded yourself as one and a
27 half trips?

28 A. My destination when I embarked at
29 Three Rivers, my destination was Lanoraie. They
30 waited a short time at Lanoraie so they had received



1 French

2 a message to get a pilot on board and to leave at
3 a given time, not arrive at the final destination before
4 a given time, so as soon as I stopped at Lanoraie and
5 I cast anchor, well then the trip is over and when
6 I left again well this begins a part of a trip or per
7 haps another complete trip. In this particular
8 case it became part of a trip because my destination
9 was Contrecoeur only. If my destination had been
10 Montreal then it would have been a complete trip.

11 Orders weren't to get in before a given
12 hour and I had to leave at a given time in order to
13 be there on time and have some means or ways to take
14 the line to my departure into account. This is the
15 reason why I have more than one trip because my
16 first destination was Lanoraie and the second one
17 was Contrecoeur aboard the same vessel.

18 Q. In other words you left Three Rivers
19 and you were to reach eventually Contrecoeur but
20 you stopped on way at Lanoraie. You anchored there
21 and then you left Lanoraie and you went to Contrecoeur
22 and because of this stop there during your trip
23 you allocated yourself one trip and a half?

24 A. Well, I stopped on the way because
25 of the orders I had received. My first destination
26 was Lanoraie and my second and final destination was
27 Contrecoeur. Naturally we had to anchor.

28 Q. I suppose that you followed this
29 same procedure in similar cases in regard for your
30 trips in the years 1961 and 1962?



1 French

2 A. In similar cases, yes, if there has
3 been anchors or if there has been a stop at a pier where
4 I leave later on this becomes part, of course, of another
5 trip.

6 Q. Could you explain in what cases
7 you give yourself one half trip half. A. Say
8 if I was forced to stop and to anchor in order to repair
9 an engine beyond the limits of the harbour we have
10 just left -- in that case there is half a trip allocated.

11 Q. Could you please give me a precise
12 example of a half-trip, let us say using Montreal
13 downbound?

14 A. Say I had received orders to stop
15 in the case of an engine failure. Well, if I call
16 on a pier, if I have half a trip -- if my destination
17 is Contrecoeur, but with the engine failure with a
18 ship that left Montreal and if there is an engine
19 failure which forces us to anchor well then in those
20 two cases you have half a trip.

21 Q. Pilot Belanger, I would like to
22 submit to you a case which I heard of recently in
23 order to find your interpretation about what will be
24 called a trip. Here is what happened: a vessel
25 was in your District and at a given time in order to
26 avoid a collision with another vessel the vessel
27 cast anchor, but the collision occurred just the
28 same then the vessel heaved anchor and left again in
29 order to reach its destination.
30



1 FRENCH

2 The Pilot in that case charged for two trips
3 because the anchor had been cast or you had anchored.
4 Are you in accordance with that?

5 A. If it is in the By-laws I am in agree-
6 ment because one must follow the By-laws all the time.

7 Q. Do you think that this By-law is
8 fair, if it exists?

9 A. Are you asking me to give my own
10 judgment or to give evidence?

11 Q. Give a judgment?

12 A. I cannot judge anything about that
13 because I do not have the necessary qualifications
14 to that effect.

15 THE CHAIRMAN: Mr. Belanger, when you
16 have indicated one and a half trips, were there two
17 source forms made? One for one trip and one for half
18 a trip?

19 THE WITNESS: Yes, there were two that
20 were made out.

21 THE CHAIRMAN: Now on the assignment
22 list you have been credited for one and a half turns?

23 THE WITNESS: Yes.

24
25 CROSS-EXAMINATION BY MR. JACQUES:

26 Q. Mr. Belanger, would you please look
27 at your report of the year 1962 and look at the entries
28 for the third, fourth and fifth of August. In the first
29 place, could you please tell me how many cards have you
30 filled out in these three days?



1 FRENCH

2 A. For the second, third and fourth?

3 Q. No, the third, fourth and fifth?

4 A. Well for that day I fill out one trip
5 from Montreal to Lanoraie and one return trip from
6 Lanoraie to Montreal.

7 Q. Are those two cards or one card?

8 A. These are two cards.

9 Q. Those are all the cards you have
10 filled out?

11 A. Well I must have had some detention
12 cards for the time I remained on board the vessel.

13 THE CHAIRMAN: This detention time,
14 is it not written on the same card as the card for the
15 trip?

16 THE WITNESS: Yes. But in that particular
17 case I cannot recollect exactly if there was a difference
18 in the draught. As soon as there is a difference in
19 draught, this calls for a new card.

20 In the past I was writing that down on the
21 same card because it was the same vessel but my adminis-
22 trative office told me we needed two different cards
23 in order to avoid any confusion whatsoever.

24 Q. Could you please explain what you mean
25 by "standby"? The first entry for 1962 is that of
26 March 19th of 14 hours "stand-by". What does that mean?

27 A. This means I received a phone call
28 that I should be available and I am to be called in.

29 Q. Are you being told exactly when you are
30 going to be phoned?



1 FRENCH

2 A. Well even this party doesn't know at
3 that time.

4 Q Can you determine if you are going to
5 be phoned after the time limit, knowing your turn on
6 the list and the number of vessels which are supposed to
7 leave?

8 A. No. Allow me to tell you: nobody
9 knows about the future. Sometimes I have been told
10 eight o'clock in the morning and finally I received a
11 phone call to goto Three Rivers that Three Rivers needed
12 a Pilot and I was to start my waiting time at Three
13 Rivers because the vessel was on the way and they didn't
14 know its time of arrival.

15 Q. Mr. Belanger, I agree that you have
16 many things occurring in this world but in the course
17 of the year at any time, at any month, you are phoned
18 and you are told to be ready. At that time, knowing
19 where is your turn on the assignment list, you may not
20 know at any rate if you are the first on the assignment
21 list or the last one.

22 Q. Well I know if I am the first one
23 or second or third only upon this phone call.

24 Q. When you are told to be on stand-by,
25 then you know your turn on the assignment list?

26 A. No. Yes, I am being told but I know
27 that before the adjustment of the assignment list which
28 is done at 10 o'clock in the morning.

29 Q. When you are phoned to be on stand-by,
30 you know what is your exact turn on the assignment list?



1 FRENCH

2 A. Yes, I do know it.

3 Q. You know if you are the first, second
4 or third. You know for your turn on Grade A or your
5 turn on Grade B?

6 A. Yes, I know.

7 Q. At that time can you get the details
8 of the traffic which is forecast for the period which
9 follows this phone call?

10 A. Quite vague, because the persons who
11 answer are not in a position either to say if there is
12 going to be 10, 15 or 20 vessels during the day.

13 Q. So the downbound vessels on the Seaway,
14 and who do not stop at Montreal and who go straight
15 ahead, these vessels are known?

16 A. Yes, but one thing which is not known
17 are the delays that may occur on the way.

18 Q. So the vessels downbound on the Seaway
19 who does not stop in Montreal, they are known?

20 A. Yes, they are known and sometimes
21 quite near Montreal.

22 Q. The vessels leaving Montreal to go
23 down river are also known as few hours in advance?

24 A. Yes. A few hours in advance.

25 Q. How many hours in advance?

26 A. Well as you said only a very few hours
27 in advance.

28 Q. How many hours?

29 A. Well two, sometimes three hours.

30 Sometimes the weather is better or finally the weather



1 FRENCH

2 gets worse, and so forth, and finally the vessel instead
3 of leaving on that day leaves the next morning.

4 Q. The administrative authority at your
5 office in Montreal is notified about the vessels which
6 are to leave?

7 A. In part.

8 Q. In part? So the agents contact your
9 despatchers?

10 A. Yes, but they cannot define exactly
11 the exact departure time of the vessel. There might be
12 a thousand and one things that regulate a vessel.

13 Q. So you are phoned and I will take an
14 entry at random, that of April 3, 1962. You are phoned
15 at 17 hours. The mention you have written down is
16 notified "stand-by" and the next mention is of April 4th,
17 the next day at 11:30 in the morning and you had the
18 mention "ordered" so there is a period of, an elapsed
19 period of 18 hours, approximately. Would it be possible
20 to determine approximately the number of vessels which
21 are going to require Pilots during a period of 18 hours?

22 A. No, because at that period of time
23 everything is quite vague. There are very few vessels.
24 Night navigation doesn't exist at all.

25 Q. When you are phoned to be on the stand-
26 by, at that time you have reached a certain position
27 on the assignment list.

28 A. I might be the first on the list.

29 Q. When you say "ordered", the mention
30 notified to be on stand-by, you are the first on the



1 FRENCH

2 turn?

3 A. Yes, I am the first on the turn but
4 allow me to give an explanation. In certain cases
5 I am the fifth or sixth on the assignment list but I
6 have some Grade C Pilots before me but I am the
7 first B. If it differs, if the vessel to leave is a
8 Grade B, I am the first one to leave and if it is the
9 fifth vessel to leave, I am still the first because we
10 have got nothing to say going to be a small vessel or
11 big vessel. It is going to leave. Same thing applies
12 to Grade A. You have some Class C before you, Class
13 B before you, I am also the first to leave. You are
14 on stand-by for a vessel of Class A which does not come
15 in so in the meantime your turn arrives in the B, and
16 automatically you are eliminated for Grade A and you
17 are on stand-by for Grade B.

18 Q. If I understand properly, when you
19 are phoned and you are phoned to be on stand-by, you
20 are either first in turn for Grade B, it doesn't matter
21 the C's before you, you are the first in turn for Grade
22 B or first for Grade A?

23 A. I cannot be first on both. I am
24 either first for Grade A or Grade B according to the
25 By-laws.

26 Q. If you are first on Grade A --

27 A. It's later on, I am already eliminated
28 for Grade A and the first on Grade B.

29 Q. In the list you have prepared there
30 is a mention of reserve for Grade A. At that time were



1 FRENCH

2 you first in turn for Grade A?

3 A. If I am reserved, I am the first,
4 second or third according to the number of vessels which
5 will require pilots.

6 Q. So you know in advance approximately
7 the number of Grade A vessels which are going to require
8 pilots in a few hours?

9 A. Yes, in certain cases. But I have
10 seen in other cases where vessels downbound in the
11 Seaway, it was impossible to determine if these vessels
12 were going into Montreal Harbour or if they were
13 going to anchor at Lanoraie. Naturally you had to
14 be on the alert. The staff at the office, our despat-
15 ching office were not aware, were not in the know
16 and they have a shortage of Grade A, so in that case
17 it would be a vessel Grade A, they call down a pilot
18 from Three Rivers and finally this Pilot came here for
19 nothing because he was a Grade A.

20 Q. Does it happen every day?

21 A. No. It would be horrible.

22 Q. Does that happen every week?

23 A. Well you may quote certain cases, or
24 a few cases, well you can say perhaps once a fortnight
25 or every fortnight.

26 Q. How many cases then? Seven, eight,
27 nine, ten?

28 A. In that case the despatching office
29 would be in a better position than I to answer that
30 question.



1 FRENCH

2 Q. You indicated -- if you wish, we will
3 begin with the first entry, you say 14 hours stand-by,
4 called for the 19th of March, 14 hours? Is that the
5 time at which you were telephoned?

6 A. That is the time I was telephoned to
7 inform me that I should be available, not to go away,
8 to warn me to be ready at all times.

9 Q. Now the 20th of March, 6:30 in the
10 morning, is that the time at which you were telephoned?

11 A. That is the time at which I was tel-
12 ephoned in order to get the bus at eight o'clock. I
13 was given one and a half hour's notice.

14 Q. You were told to go to Three Rivers?

15 A. That is correct.

16 Q. And 7:40, is that the departure from
17 your home or departure of the bus?

18 A. Departure of the bus.

19 Q. Departure of the bus, not from your
20 home?

21 A. No.

22 Q. 9:35 arrival of the bus Three Rivers.
23 Is that the time?

24 A. That is the arrival of the bus in
25 Three Rivers.

26 Q. And 13 hours ordered? What is that?

27 A. I was assigned to a vessel at 13 hours.

28 Q. Thirteen hours?

29 A. Yes.

30 Q. Well now you could say this is the



1 FRENCH

2 hour or what is the hour on which you were awaiting the
3 vessel?

4 A. Normally I am told at what time the
5 vessel should arrive because, let us say, it would be
6 roughly two hours ahead.

7 Q. Now then we see 13:30 embarked. What
8 does that mean? Embarked on the Pilot Boat or the
9 other vessel?

10 A. The actual vessel itself.

11 Q. Well now from 13 to 13:30 you were
12 assigned to a vessel and you went aboard the vessel?

13 A. That is correct.

14 Q. 13:30 you were on the deck?

15 A. Yes.

16 THE CHAIRMAN: Where we have the hour
17 of embarkation, does this correspond to an entry on
18 the card, the Pilot's Source Form?

19 THE WITNESS: It is the pilotage form.

20 THE CHAIRMAN: What is inscribed on
21 this card?

22 THE WITNESS: Well on this card your
23 lordship they indicate --

24 MR. JACQUES: Just one moment please.
25 Ordered time, reported time, sailing time.

26 A. Now there is some controversy as to
27 some who think the hour of embarking; others want it
28 to be the time at which they were telephoned to go aboard
29 a vessel.

30 Q. In your own case, Mr. Belanger, you



1 FRENCH

2 have in your report of 1962 indicated for the 20th of
3 March, 13:30 embarked?

4 A. On the vessel.

5 Q. On the vessel?

6 A. This is on my pilotage card.

7 Q. Your personal one. Now on your pilotage
8 card did you insert 13:30 in the little square, the
9 little box for ordered time, reported time or sailing
10 time?

11 A. Sailing time because in this case the
12 vessel was moving.

13 Q. Good. Now when you embarked aboard
14 a vessel which is berthed --

15 A. Well I get roughly 15 or 20 minutes
16 before it goes.

17 THE CHAIRMAN: Could you take an example
18 of that then?

19 Q. What indication, what hour do you
20 enter in your personal document? I have here the 26th
21 of April, 16:30 ordered, 7:55 embarked Shed 13. Now
22 what is this exactly?

23 A. 7:55, that is the time I got aboard
24 the ship which was berthed at Shed 13. It happens to be
25 a duplicate of my pilotage card.

26 Q. Now in your pilotage card 7:55, did
27 you put that in the little square ordered time, reported
28 time or sailing time?

29 A. Reported time.

30 Q. Reported time?



1 FRENCH

2 A. Reported at the time on which I went
3 aboard.

4 Q. And 18 hours for the entry of the 26th,
5 is that the time the vessel went?

6 A. Not necessarily. This is often the
7 time at which they put on the mention stand-by, and now
8 they begin after this. Now you can leave the berth
9 maybe 15, 20 minutes afterwards.

10 Q. On the pilotage card, the source
11 form what time do you indicate as sailing time? 18
12 hours?

13 A. 18 hours, yes.

14 Q. What does it read? Does it read
15 the time at which the check men finished with the
16 engines or is it all fast?

17 A. There is a slight variation defined
18 by the Captain. I get off the vessel without any other
19 indication. There can be a little variation, a little
20 after the time indicated here for the engines.

21 Q. On the report for 1962 what time do
22 you indicate?

23 A. The hour indicated here.

24 Q. Yes, that Montreal to Three Rivers you
25 are on a vessel coming into Montreal would it be where
26 it is coming in for the first time you berth, or is it
27 the time on which you get off the vessel?

28 A. Before I have got off the boat.

29 Q. Before you have disembarked?

30 A. Yes.



1 FRENCH

2 Q. I understand this is when the Captain
3 signs your card?

4 A. Yes, several minutes afterwards the
5 Captain signs the card when everything is finished up
6 and indicated finished with engines. I haven't actually
7 completed it.

8 Q. When you have reserve for a Class A,
9 are you told the approximate time of departure of the
10 vessel?

11 A. No.

12 Q. Are you given an idea?

13 A. A vague idea in many cases. No, they
14 don't know themselves.

15 Q. Thank you.

16
17 RE-DIRECT EXAMINATION BY MR. LALONDE:

18
19 Q. Mr. Belanger, I would like to show you
20 the rules of 1961. I note that for the names of the
21 ship you have the feet and inches. Could you tell us
22 what this means?

23 A. This is the draught which the ship
24 had.

25 Q. Now this indication, does it appear on
26 the two documents filed?

27 A. On the two documents filed, yes, it
28 does. This is a copy here.

29 Q. You have another indication which,
30 for example, states first ship MILROSS and then O.A. and



1 FRENCH

2 so on for each subsequent vessel. You have 2-B, O.A.
3 and then 3-B, O.A., 4-B, 1A. Could you indicate to the
4 Commission what these mean?

5 A. The figures which are mentioned accord-
6 ing to the letter B are the trips, the complete trips
7 including the Class A as well as Class B or Class C.
8 C is what we call the general term. Now when we have
9 the figure with the indication A beside it, we have only
10 the name, this means that the boat corresponds with a
11 vessel of Class A type.

12 Q. Do I understand properly you had a
13 figure for B, and this becomes 1A?

14 A. Simultaneously 1B and the A, what
15 happens here is that you have one trip.

16 Q. If you have a vessel here from
17 Montreal does that mean for one trip or --

18 A. A half trip.

19 Q. Does it appear in this document?

20 A. As the last trip.

21 Q. If you take a vessel in Montreal,
22 does this count as one trip or half a trip?

23 A. It counts for one trip. From Lanoraie
24 to Montreal in all cases. Otherwise, if you made one
25 trip from Montreal to Lanoraie on one vessel and we
26 had the order to come back with another vessel, which
27 was anchored, and to return with it, then the other
28 ship then this makes two half trips. Now it makes one
29 trip per vessel.

30 Q. Now if you take a vessel in Three



1 FRENCH

2 Rivers going to Montreal, it is anchored say at Lanoraie
3 for two hours, for example, and you continue afterwards
4 to Montreal, will this be one and a half trips or one
5 trip?

6 A. This will be one and a half trips
7 because the first destination was Lanoraie and the
8 schedules were changed afterwards, then you start off
9 again and it would be the same thing also if there
10 were another pilot who went back again with the vessel.

11 Q. But where I give you the case of
12 Lanoraie but not of Montreal, what happens then?

13 A. Well eventually any boat stopping at
14 Lanoraie their destination is still Montreal or even
15 further but often is Montreal or they might even go
16 further and say they may stop at Montreal or elsewhere.

17 THE CHAIRMAN: Do you have any further
18 questions for Mr. Belanger? Thank you Mr. Belanger.

19 MR. BRISSET: Before there are any
20 other witnesses called, I have a request for the
21 Commission. This document, I would like there to be pro-
22 duced a list of pilots of the district not belonging to
23 the Corporation with an indication of their class and
24 if they are in Class A, B, or C and their priority as
25 regards promotion. For example, if it is say a pilot of
26 Class B if he be first in grade or in hierarchy to go up
27 to A.

28 ---
29
30



1
2 MR. LALONDE: Your lordship I think
3 the next witness, Mr. Hemond will be able to give this
4 directly if my confrere will agree to this.

5 THE CHAIRMAN: We will hold your re-
6 quest waiting the testimony of Mr. Hemond. If he can't
7 furnish us with this then you can come again with your
8 request.

9
10 LUCIEN HEMOND, sworn

11
12 THE SECRETARY: Your name and occupation?

13 THE WITNESS: Secretary-Treasurer of
14 Montreal Pilots and the Corporation of Mid St. Lawrence
15 Pilots.

16
17 DIRECT EXAMINATION BY MR. LALONDE:

18 Q. Your age?

19 A. 49.

20 Q. You may sit down, Mr. Hemond. Mr.
21 Hemond, do you have certificates in the field of admin-
22 istration or similar certificates? Can you tell the
23 Commission what are your certificates, if so?

24 A. Well, I have a certain certificate
25 and I am in the Institute of Public Accredited Auditors.

26 Q. Since when have you been in the em-
27 ployment of the Corporation of Mid St. Lawrence Pilots
28 and the United Montreal Pilots?

29 A. Well, the United Montreal Pilots I
30 entered the 1st of April, 1925.



1
2 Q. Have you remained constantly in the
3 employment of that body since that date?

4 A. Yes.

5 Q. I will not ask you if you have good
6 employers. What are your main tasks as Secretary-Treas-
7 urer of the Corporation of St. Lawrence Pilots and the
8 United Montreal Pilots?

9 A. Well, I do bookkeeping, correspondence,
10 the assemblies, the statistics in order to direct the
11 workings of the Corporation and the Society.

12 Q. Well, are you interested in keeping
13 the minutes of the Assemblies which take place?

14 A. Yes.

15 Q. To your knowledge are the Minutes of
16 the Assemblies always held in each Assembly of the Cor-
17 poration of Mid St. Lawrence, the United Montreal Pilots?

18 A. Yes.

19 Q. Could you please explain to the Comm-
20 ission how you proceed since the establishment of the
21 Constitution in the holding of the minutes in the following
22 sense: do you hold separate Minute Books or Joint Minute
23 Books?

24 A. You mean between the Corporation and
25 the Society?

26 Q. Yes?

27 A. Well, for the Board of Directors it is do-
28 ne at the same time, in the same Minutes for the Organ-
29 ization, and as regards Joint Assemblies, at the be-
30 ginning of the Corporation there were Minutes, in practice,



1
2 separate, but actually it wasn't that way. Now they have
3 been joint.

4 Q. Jointly?

5 A. Yes.

6 Q. Could you explain to the Commission in
7 a summary manner the working of the income of the pilots
8 in conformity with Article 2 of the Rules and Regulations?
9 I don't ask you to proceed to a detailed analysis of
10 each and every one of the By-laws or Rules but can you
11 explain briefly how you proceed to this dividing up of
12 the income of Pilots?

13 A. The amounts obtained by the Pilotage
14 Authority which is transmitted to the office every two
15 weeks -- this sum we take, let me note that the sum we
16 receive from the Pilotage Authority, it is ten per cent
17 which is retained by the D.O.T., Department of Transport.
18 Now, with the net amount after ten per cent...

19 Q. Would you please tell us why deductions
20 are made by the Authority?

21 A. In order to be sent in to the Pension
22 Fund of the Pilots of the District of Montreal.

23 Q. And then what do you do with the sums
24 you receive every two weeks?

25 A. I take the amount of the expenditures
26 for administration and I put a certain amount for all
27 distributions for the administration during the periods
28 of the season -- from the Corporation in view of future
29 expenditures for closing of applications in the beginning
30 of the new year.



1 FRENCH

2 Q. But when you proceed, at the time you
3 proceed to distribute the revenue, share of revenue...

4 A. Well, it has to be done between the
5 15th and 10th and 20th and 25th of the month during the
6 course of the navigation season.

7 Q. Yes, and do you make distributions
8 in the winter?

9 A. Generally if it happens in the month
10 of January that we have funds and at the end of March
11 when there are sufficient funds.

12 Q. Who decides on the amount of the dis-
13 tribution?

14 A. At the moment I have a resolution
15 of Council which tells me to make distribution as much
16 as possible limited to \$150.00 per fortnight.

17 Q. \$150.00?

18 A. Yes, per fortnight.

19 Q. At the end of the year do you pay
20 the amount remaining over, if there is any?

21 A. The sums accumulated over \$150.00 in
22 the month of January are distributed less the reserve
23 I mentioned. Then at the end of the winter period if
24 any funds remain the first distribution is in the spring
25 and it goes into the pool.

26 Q. Do all the Pilots receive the same
27 amount for the distribution every fortnight?

28 A. Not exactly. You see what happens is
29 this. You have Class C. They receive a certain per-
30 centage, that is to say that the distribution is based



1 FRENCH

2 on part of the share of Class B. Class C-1 receive 65 per
3 cent of Class B; C-2 receive 75 per cent of Class B
4 and Class C-3 receives 85 per cent of Class B. As
5 regards Class A there is an allowance of \$25.00 per
6 trip between Three Rivers and Montreal, or Three
7 Rivers and Quebec.

8 Q. In addition to the distribu tion or
9 amount of...

10 A. Class A.

11 THE CHAIRMAN: \$25.00 to Class A?

12 THE WITNESS: Yes.

13 MR. LALONDE: Upon making the payment to
14 Class A do the bi-monthly distributions turn out to be
15 equal?

16 A. Equal inasmuch as the pilot has made the
17 necessary number of turns or he has two trips below the
18 average. If it is otherwise, if it is below this, then
19 he has a deduction made of the value of the trip based on
20 the period, the number of trips that have been made.

21 Q. As I understand it all those who are
22 say two trips below the averageshare also?

23 A. Yes.

24 Q. Is there any adjustment of the average
25 at the end of the season or do these averages apply
26 simply every fortnight?

27 A. These averages, the distribution is
28 every two weeks.

29 Q. Yes, but suppose the pilot makes three
30 trips below the average, and let us suppose that he can



1
2 afterwards catch up on the difference later on, is there
3 an adjustment made in the sum he receives or has he lost
4 definitely, once and for all, the sum which would have
5 come to him, which he would have got?

6 A. Well, there is no reimbursement.

7 Q. Now, these sums -- these amounts which
8 come back -- how are they distributed when somebody is
9 below two trips below the average? Is it a deduction on
10 the Pilot concerned or does it come from other benefits?

11 A. Well, in my field it is rather difficult
12 to explain because (end of interpretation).

13 Q. Now, do you have an allowance in the
14 event of illness or for other reasons?

15 A. Well, the allowance for illness during
16 the illness period, sickness period, they get half of
17 the sum.

18 Q. Of the sum?

19 A. Well, the fringe benefits.

20 Q. So this is half of the sum which gets
21 back to the pilots who belong to Grade B?

22 A. Yes.

23 Q. For how long is that allowance paid?

24 A. From May 1st until November 30th of
25 each navigation season.

26 Q. For how many seasons?

27 A. For two seasons.

28 Q. Are these seasons two consecutive sea-
29 sons or are they distributed over the whole career?

30 A. No, two consecutive seasons.



1 FRENCH

2 Q. If a pilot goes back to work and if he
3 is sick again does he get back his two seasons -- if he
4 goes back to work subsequently after a short or pro-
5 tracted illness...

6 A. If he gets back to work he gets another
7 two seasons of illness.

8 Q. Do you know the name of the auditors
9 of the Society and your Corporation?

10 A. J. P. F. Guerin C.A.

11 Q. Was he hired by the Society and the
12 Corporation for a long while?

13 A. Yes, quite a long while.

14 Q. Have you an approximate idea of the
15 number of years you have had this auditor working for
16 you?

17 A. Well, 25 years, I think.

18 Q. Do you have any information concerning
19 the operation of the Pension Fund within your District?
20 Could you please briefly indicate to the Commission
21 what is the state of affairs about that expense?

22 A. Well, the administration of the Pension
23 Fund is made in trust for the Department of Finance,
24 the D.O.T. Insofar as investments are concerned, the
25 D.O.T. asks us for suggestions on the purchase of de-
26 bentures and the payment of pensions is made out of the
27 Finance Department -- are made I think by the Department
28 of Finance. It doesn't pass through the D.O.T.

29 Q. But who is entrusted with the By-laws
30 of the Pension Fund as they appear?



1 FRENCH

2 A. Well, the Council.

3 Q. I am sorry, under Exhibit 773, who
4 adopted these By-laws?

5 A. Well, through an Order-in-Council.

6 Q. Do you have anything to do with the
7 administration of the Pension Fund?

8 A. Well, as I stated the only thing that
9 we can have are suggestions concerning investments
10 for the purchase of bonds.

11 Q. Are you sent reports concerning the
12 operation of the Pension Fund?

13 A. Yes, we are, financial reports.

14 Q. I would like to draw your attention
15 upon a photostat copy of a financial report for the years
16 1958 to 1963 entitled "Monthly Pilot Pension Funds in
17 Account with the Government of Canada which includes
18 in each case two sheets, one of which is a balance
19 sheet and the second one which is a schedule of payments
20 to pilots or to their widows?

21 A. Yes.

22 Q. Could you please tell me if that docu-
23 ment is the one that is sent to you by the Government?

24 A. Yes.

25 Q. My lord, I don't know if this document
26 has already been filed by the Legal Advisor to the
27 Commission. While we are finding that out I am going
28 to pass on to something else, otherwise I would like
29 this document to be filed. Your lordship the Exhibit
30 has already been filed for the year 1962 only as Exhibit



1 FRENCH

2 553. Consequently this document may be added to the
3 exhibit already filed. Thank you.
4

5 CROSS-EXAMINATION BY MR. BRISSET:

6 FRENCH

7 Q. Mr. Hemond, are you in a position to
8 tell me the names of the Pilots for the Montreal, Quebec
9 District who don't belong to the Corporation?

10 A. I will try. There are eight of
11 them.

12 Q. What are their grades?

13 A. There is Georges Belisle, Class B;
14 Rosaire Morissette, Class B; Cyrille Belisle, Class B;
15 Laurent Hamelin, Class B; Damond Belisle, Class B --
16 I am not sure if he is Grade A or B -- it is B. Grade
17 B. I have five up to now.

18 Q. Yes?

19 A. Number six is Zephirin Mongrain, Class
20 B; Andre Gosselin, Class A.

21 MR. LALONDE: Would the last one be
22 Mr. Alexis Gauthier?

23 THE WITNESS: Yes, Alexis Gauthier,
24 Grade A.

25 BY MR. BRISSET:

26 Q. Regarding the pilots belonging to
27 Grade B that you just mentioned, are you in a position
28 to tell me what is their priority order regarding
29 a promotion to Grade A?

30 A. I can't tell you because we are not



1 FRENCH

2 the ones to decide on the promotion of pilots from Grade
3 B to Grade A.

4 Q. Is that decided by the Board of Directors?

5 A. No, this is decided by the D.O.T.,
6 the Pilotage Authority.

7 Q. Or upon the recommendation of the
8 Admission and the Promotion Committee of your Corporation?

9 A. Well, I couldn't tell you that because
10 these meetings are not held at the office and I am not
11 Secretary of that Committee.

12 Q. You don't keep Minutes of the Secretary
13 of the Corporation for the Meetings of the Committee
14 on Admission and Promotion, if I understand you correct-
15 ly?

16 A. No.

17 Q. According to the By-laws of your
18 Association are turns allocated to the administrators,
19 directors for attendance at meetings or for looking after
20 the business of the Corporation?

21 A. Yes.

22 Q. Could you please tell us what is the
23 basis for these allocations?

24 A. Well, according to the By-laws it is
25 one turn per day of absence for the activities or
26 business of the Corporation or the Society.

27 Q. Generally speaking, taking into account
28 last year's experience and this year's experience what
29 is the value of one turn?

30 A. Well, I am going to tell you it varies



1 FRENCH

2 It varies because there are certain periods of time
3 during the navigation season when it may be \$75.00 or
4 \$76.00 per turn and then it can reach beyond \$90.00, for
5 example, I can remember last time the value of the turn
6 was \$90.53, I think.

7 Q. So when it is decided to allocate
8 one turn to the administrator for having attended, let
9 us say a meeting, well, what is your basis in order to
10 establish the value of the turn? Do you use as the base
11 of the value ~~the turns of the fortnight?~~

12 A. The number of turns is then -- is
13 compiled in the fortnight and divided by the amount earned --
14 divided by the number of turns accomplished during the
15 fortnight. This value is computed every 15 days before
16 the distribution of the money.

17 Q. Do you think the turns allocated to
18 the administrators are always allocated during the fort-
19 night of their absence or could they be done retroactively?

20 A. On the same day as the holding of the
21 meeting or the day of the business per se.

22 Q. What method is followed regarding the
23 accountancy in order to take into account all these
24 turns? That is the allocation of turns -- does the
25 administrator submit to you a letter of the Board of
26 Directors or what is the method followed?

27 A. I follow the By-laws existing for the
28 Corporation which allocates one turn per day of service.

29 Q. How are you informed about that alloc-
30 ation, that is what interests me most.



RPS 1 French

2 A. Well if there is a meeting at our
3 office, and I am the Secretary of the Board of Directors,
4 I know if this meeting is being held or not.

5 Q. Consequently, you based yourself
6 upon the record or the minutes you keep of the minutes
7 and you make way for the allocation yourself?

8 THE CHAIRMAN: In other words, the voucher
9 would be the minutes of your meetings?

10 THE WITNESS: Yes my lord.

11 Q. If an administrator has to be
12 absent in order to look after the business of the
13 Corporation and because of a trip, for example, what
14 is your voucher in order to allow him one turn or
15 many turns?

16 A. Well in such a case there is a resolu-
17 tion adopted within the Board. We allow a certain
18 number of turns for the one who was absent on a trip
19 to look after the business of the Corporation.

20 Q. For absences other than for attending
21 meetings of the Corporation, your voucher then would
22 be in the form of a resolution adopted by the Board
23 of Directors?

24 A. Yes.

25 Q. You explained to us that there is
26 an allocation of 50 per cent of the distribution to the
27 pilot who is absent on account of illness?

28 A. Yes.

29 Q. You also stressed that this allowance
30 could cover a maximum period of two seasons of navigation.



1 French

2 Could you please tell us what method is followed in
3 the case of an absence for a short-term illness? Let
4 us say, for example, an absence of a week.

5 A. Every day I receive the assignment
6 list coming from every station from Montreal, Three
7 Rivers and Quebec and I receive that from the D.O.T.
8 Moreover, if there are any absences, there is a special
9 form from the Department which is sent to me indicating who
10 they are and the day of the absence. This is written
11 in a book, a special book in our office and upon his
12 return to duty, I am advised by the D.O.T. once again
13 on the same form and I indicate the number of turns
14 accomplished during his absence. That is to say,
15 that according to the assignment list the average is
16 inscribed and I establish the difference between the
17 average existing during his absence and upon his
18 return, the difference, and allow him these number of
19 turns and this, of course, is taken out when the next
20 money is paid.

21 Q. Let us take a hypothetical case.
22 The case of a pilot who would be absent in the space
23 of a month, would be absent for four days, not four
24 consecutive days but let us say would be absent one
25 day the first week, one day the second week, and so
26 forth. Would you allow him turns in such a case?

27 A. According to our By-Laws, there is
28 an Article which gives privilege to the pilot during
29 the period starting on May 1st to December 31st of
30 each season, which allows him to take two twenty-four



1 French

2 hour periods without any decrease in his earnings,
3 so long as these two twenty-four hour periods are
4 not consecutive. If, during the navigation season
5 he has taken his two twenty-four hours, the first day
6 he is absent following that, well he is cut out
7 entirely and upon the submission of a medical certificate,
8 and upon a request on his part to share the illness
9 benefits after the first twenty-four hours, he
10 receives half of the value of the turn.

11 Q. These two twenty-four hour periods
12 of absence, non-consecutive absences, allocated by the
13 By-Laws may occur every month, if I understand you
14 properly?

15 A. Well they may occur twice a month,
16 so long as these two twenty-four hour periods are
17 not consecutive.

18 MR. LALONDE: The witness says two twenty
19 -four hour periods between May 1st until December 31st.
20 That is two 24-hour periods during the whole season.

21 Q. Your answer is two 24-hour periods
22 per navigation season?

23 A. Yes.

24 Q. So you told us you receive every
25 fortnight, from the Department, a remittal of the
26 pilotage dues earned by the pilots of the District
27 less 10 per cent for the pension fund. Could you
28 please tell me how this remittal is made to you?

29 A. As a cheque made to the order of the
30 Montreal United Pilots.



1 French

2 Q. What do you do with that cheque?

3 A. I endorse it.

4 Q. How do you endorse it?

5 A. I endorse it by United Montreal Pilots
6 signed by myself as Secretary-Treasurer and below
7 that endorse it with the stamp of the Corporation signed
8 by me as Secretary-Treasurer and I deposit it to the
9 account of the Corporation.

10 THE CHAIRMAN: The By-Laws to which the
11 witness was referring for absences is Article 10,
12 Paragraph F of By-Law No. 2.

13 Q. This is correct?

14 A. Yes.

15 Q. I don't have any further questions
16 to ask the witness your lordship, but I would like to
17 make another request regarding Exhibit 524 which has
18 been filed here in Montreal. I think it was on the
19 occasion of the first sitting or hearing of the Commission
20 I would like to ask if it would be possible to complete
21 this exhibit. This is a list of the pilots on duty
22 in this District by indicating what their grades are.

23 MR. LALONDE: I don't object my lord.
24 Naturally this is the responsibility of the Pilotage
25 Committee.

26 MR. JACQUES: This is an exhibit that I
27 have filed. I will have it completed and I will
28 complete it myself.

29 THE CHAIRMAN: Could you please look after
30 that so that this document may be completed within



1 French

2 a few days by adding a column in the middle of the
3 sheet in order to indicate the grade of the pilot, if
4 he belongs to grade A, B, C, C1, C2 or C3.

5 Q. Could you please give us a list
6 of turns allocated to the administrators of the
7 Corporation of your District for the years 1960, 1961
8 and 1962?

9 A. I think so.

10 Q. With the name of each and every one
11 and the number of turns allocated to each one.

12 A. I will have to proceed to a slight
13 compilation.

14 Q. Could you please give an exhibit number
15 to that document immediately?

16 THE CHAIRMAN: 782 and could you please give
17 a description of the document?

18
19 ---EXHIBIT NO. 782:

Listing indicating the
names of administrators
to whom turns have
been allocated during
the years 1960, 1961 and
1962 including the number
of turns allocated to
each one of them.

24 THE CHAIRMAN: It was also requested for the
25 Quebec District so I summarize that the question was
26 if the same thing happened for the Quebec District.
27 Are there any further questions to be put to the
28 witness?

29 MR. JACQUES: I don't have any questions
30 to ask the witness your lordship but I would have to



1 French

2 ask questions to Mr. Hamelin as regards the evidence
3 of Mr. Hemond after adjournment your lordship.

4 THE CHAIRMAN: Will that take more than
5 three or four minutes?

6 MR. JACQUES: Yes.

7
8 RE-DIRECT EXAMINATION BY MR. LALONDE:

9
10 Q. Mr. Hemond, this amount of \$75 to
11 \$90, which is the equivalent of the value of the
12 turn, is that amount paid in cash to the administrators?

13 A. No.

14 Q. Is that an amount which deprives, to
15 a certain extent, the colleagues who are not administrators?
16 What is the nature of such an allowance or
17 allocation?

18 A. Well personally I think that this
19 allowance is made so that the individual may not be
20 forced to do overtime in order to account for the time
21 lost.

22 Q. My question is the following Mr.
23 Hemond: Do you think that a man may complain, for
24 example, he had not been at a meeting of the Board
25 of Directors then he would have earned \$75 more per
26 administrator who would not have had to be allocated
27 turns?

28 A. Well the pilot would not have made
29 more money. There is no allowance of money for that
30 turn allocated.



1 French

2 Q. If the administrators had not
3 sat at the meeting, do you think that the other members
4 would have benefitted, financially speaking, from
5 this absence at the meeting?

6 A. No, I don't think so.

7 Q. You talked about the increase in the
8 value of that turn recently. Is there a particular
9 reason for that? Is that exceptional, for the value
10 of the turn to have been increased to \$90?

11 A. Well this is allowed only on two
12 occasions this year and the average usually is \$75
13 up to \$77.

14 Q. You say that this occurred on two
15 occasions. What were they?

16 A. Well during the last period, that
17 is between October 16th and October 31st, and I think
18 that the other period was during the month of June,
19 if my memory serves me right.

20 Q. Thank you. Do you think that the
21 pilots of grade A receive an allowance of \$25, is
22 that an automatic amount which is given for all
23 turns or half value for half turns?

24 A. \$25 is given for one trip either
25 from Montreal to Three Rivers or from Three Rivers
26 to Quebec. An amount of \$20 is given for a trip
27 from Three Rivers to Contrecoeur or from Contrecoeur
28 to Three Rivers and an amount of \$15 is given for
29 a trip from Montreal to Sorel or vice-versa; from
30 Three Rivers to Lanoraie or vice-versa, or from Three



1 French

2 Rivers to Sorel or vice-versa with the exception of
3 below Three Rivers he might have some failures of the
4 engines or not anchorage, I would not say anchorage,
5 but might be some failures in the engines or accidents.
6 Something like that, and this distribution would be
7 all about the same value as from Three Rivers to
8 Montreal.

9 MR. BRISSET: Am I right in thinking as
10 regards Exhibit 533 that the administrative costs
11 for the pension fund are paid by the Government?

12 THE WITNESS: Yes, that is correct.

13 THE CHAIRMAN: Are there any further questions
14 to put to the witness? We are going to adjourn until
15 2:30 this afternoon.

16
17 ---LUNCHEON ADJOURNMENT.

18
19
20 * * * * *



1 FRENCH CROSS-EXAMINATION BY MR. JACQUES:

2 ---ON RESUMING:

3 Q. Now, Mr. Hamelin, the same oath as
4 the one this morning. Your Secretary-Treasurer, Mr.
5 Hemond drew the Commission's attention to your By-law
6 to the effect that the pilots who miss turns for whatever
7 reason, either because of illness or whatever it is,
8 they can't take back their turn. Is that a fact?

9 A. Yes.

10 Q. Ever since when has that By-law
11 been in existence within your District?

12 A. Well for the past two years.

13 Q. And prior to that what was the general
14 rule?

15 A. Prior to that we allowed our members
16 who were absent on account of illness or with the author-
17 ization of the Authority to take back their turns but
18 we found out that there was a very great abuse, especially
19 during the week-ends. There were times, for example,
20 where we had 18 or 20 pilots who were absent for illness
21 or because of authorization, and so forth.

22 Q. Out of how many pilots at that time?

23 A. I think that at that time we had about
24 100 pilots and even at certain times there were more
25 of them who were absent so what happened, it was always
26 the same people who were on duty and who were giving
27 the service so upon a general meeting of our members it
28 has been decided that for the efficient operation and
29 better discipline, well the turns would be taken away.

30 Q. Then if he were absent, he has not
his turn back and if he is sick he has his assistance



1 FRENCH

2 in case of illness?

3 A. Yes.

4 Q. Did you notice a reduction in the
5 number of absences after the adoption of that rule?

6 A. Yes, certainly. There was a great
7 deal of improvement.

8 Q. Thank you.

9
10 RE-DIRECT EXAMINATION BY MR. LALONDE:

11 FRENCH

12 Q. Mr. Hamelin, could you please tell
13 me do you have meetings during the winter and when
14 you have these meetings in the winter, do you know
15 if the Directors receive allocation in return for them?

16 A. No.

17 Q. What does that period of time cover?

18 A. Well from December 1st until April
19 8th there are no allocations for turns for the Directors.

20 Q. Are there any meetings of the Executive
21 or the Board during that period of time?

22 A. Well we pass practically the whole
23 winter in meetings and discussions and so forth.

24 Q. Now we are going to hear another
25 witness concerning apprenticeship. However, I would like
26 to ask a few questions regarding the establishment of
27 the present apprenticeship system as adopted by the
28 Governor General-in-Council of the By-laws of 1961 I
29 think. Did your group take it upon themselves, take
30 the initiative for establishing a new apprenticeship



1 FRENCH

2 system?

3 A. Yes.

4 Q. How did you proceed?

5 A. Well we requested the help of experts
6 from outside our own Organization in order to sort of
7 help us out and these people undertook a thorough study
8 of the whole matter and submitted some recommendations
9 after numerous meetings with the Boards at the time,
10 and we have followed their recommendations for the
11 future training of our candidates in Pilotage.

12 Q. Were these recommendations or draft
13 apprenticeship submitted to the Pilotage Authority?

14 A. Yes, it has been submitted to the
15 D.O.T.

16 Q. Could you please tell us if, as a gen-
17 eral rule, the Pilotage Authority accepted the recommend-
18 ations made by your organization?

19 A. Yes, we received very good co-operation
20 from the Department in that respect.

21 Q. Could you please tell us who paid
22 for the experts' fees that you have hired on that
23 occasion?

24 A. Well our own Corporation paid these
25 fees.

26 Q. Thank you.

27
28 CROSS-EXAMINATION BY MR. BRISSET:

29 FRENCH

30 Q. May I be authorized insofar as the



1 FRENCH

2 document which was filed this morning Exhibit 779
3 Mr. Hamelin, this morning you gave evidence, or rather
4 you filed the annual report of your President for the
5 fiscal year of 1962 that I have had the opportunity of
6 reading now and I would like to draw your attention to
7 an extract on Page 5 of the report which reads as follows:

8 "I would like to mention certain points
9 which were submitted for discussion either
10 at the general meeting last year or in
11 the course of the year. In the first
12 place there is the project of increasing
13 from 7,000 to 8,000 tons the limit of
14 tonnage of ships that may be piloted by
15 pilots of Grade B. Your Board has studied
16 that question at length and finally
17 reached the conclusion that it would not
18 be pertinent at the present time to ex-
19 ercise pressure so that such a change
20 be brought about."

21 Could you please explain to me what is
22 the reason for the change in that attitude on the part
23 of the Corporation because I understood that such a re-
24 quest has now been put through in October to the Pilotage
25 Authority?

26 A. The reason for which we have changed
27 the attitude is the following: when we discussed this
28 question before the General Assembly, I don't know exact-
29 ly -- I don't remember exactly who gave the opinion that
30 as there was a Royal Commission of Inquiry in operation,



FRENCH

we shouldn't bring about any change within our own operation system until the Royal Commission of Inquiry would have terminated its work.

Consequently, the Assembly thought perhaps it would be logical to leave the whole matter pending. Last spring, after having talked with different persons, I finally found out that even if the Royal Commission was sitting, it was no reason for us not to bring about this improvement in our grading system and especially an improvement in the field of despatch. After that, we held a couple of meetings of the Board of Directors and one of the Executive Board and we finally reached the conclusion -- we have sent out a bulletin to our members asking them if they were for or against such a meeting. We sent out a referendum to our members and the answer to that referendum was in favour of the change from 7,000 to 8,000 tons and after that the Board decided to make the request.

Q. When was that referendum held?

A. At the end of August or the beginning of September.

Q. How many Pilots Grade A are there in the District at the present time?

A. Thirty-six.

Q. Now does the practical effect of increasing the tonnage of vessels that pilots of Grade B may pilot, that is from 7,000 to 8,000 tons, will that have the effect of bringing about a decrease in the number of Pilots Grade A because certain of them will be



1 FRENCH

2 demoted to Class B?

3 A. Well perhaps. Not a decrease but at any
4 rate certainly not an increase in the number of these
5 Pilots.

6 Q. In other words, the result of that
7 change will be that those who belong to Grade B at the
8 present time, or who are ready to be promoted to Grade
9 A will see that their promotion is, at any rate, delayed?

10 A. Yes, perhaps.

11 Q. Now when you reached that decision of
12 increasing the tonnage, perhaps this is because you have
13 realized that insofar as the experience in the field
14 of pilotage was concerned well one would not need any
15 more experience to pilot a vessel of 8,000 tons or 7,000
16 tons or vice versa?

17 A. Yes.

18 Q. Is there a limit regarding which the
19 experience, or compared to which the experience is very
20 important?

21 A. Yes. Everything is depending upon
22 the Pilot or his competence.

23 Q. In other words, could it be said that
24 the limit you want to establish at 8,000 tons could
25 be eliminated without putting into peril the bigger
26 vessels?

27 A. Certainly. I don't think it would
28 decrease the good work of the Pilot.

29 Q. In other words, do you think that
30 Pilots of Grade B could certainly pilot vessels of Grade



1 FRENCH

2 A?

3 A. Well certainly a good number of Pilots
4 Grade B could certainly pilot vessels of Grade A.

5 Q. Now to get back to the report of your
6 President for the year 1962, I still go on with my quot-
7 ation:

8 "A possible merger had already been
9 mentioned with the Harbour Pilots or
10 with the establishment of two sections
11 in our District which would be from
12 Quebec to Sorel and Sorel to Montreal.
13 Once more your Board has studied these
14 matters with care and finally reached
15 the conclusion that in neither case would
16 it be in the common interests to do any-
17 thing whatsoever in that sense."

18 Could you please explain to me what is meant
19 by "common interest"? Naturally it is the common in-
20 terest of Pilots.

21 A. Well no, not necessarily so. There is
22 also the possibility of thinking if the service will be
23 affected or if the present conditions will be improved
24 or will be poorer if this change is brought about.

25 Q. For how long has this question of the
26 possibility of changeover of pilots at Sorel been under
27 study by your Corporation?

28 A. Well I think that the whole matter was
29 raised by one of our members at a meeting about two
30 years ago, if I am not mistaken.



1 FRENCH

2 Q. Was there any discussion during your
3 General Assembly about this possibility of a changeover
4 of Pilots in Sorel?

5 A. I don't know. I don't recall very
6 well. I don't think the discussion was a very lengthy
7 one because the whole matter was rejected by the Assembly
8 without too much discussion.

9 Q. Were there any differences of opinions
10 about that?

11 A. Well if I remember well there was
12 only the person who raised the whole question who seemed
13 to be in favour of such a change.

14
15 RE-DIRECT EXAMINATION BY MR. LALONDE:

16 FRENCH

17 Q. Did I understand you properly, Mr.
18 Hamelin, when, in your previous evidence, to a question
19 put to you by my colleague as regards Pilots of Grade A
20 your opinion is or is your opinion such that we could
21 eliminate Pilots of Grade A?

22 A. No. I didn't say that. Mr. Brisset
23 asked me if the decision of increasing the tonnage meant
24 that there would be a decrease in the number of pilots
25 of Grade A and I answered that at least there would not
26 be any increase because we don't want, as much as possible,
27 to increase the number of Pilots Grade A because we
28 find there is a sufficient number of those pilots of
29 Grade A.

30 Q. I think I understood the question of



1 FRENCH

2 my colleague otherwise and I would want to be very clear
3 about that but in your own opinion do you think you could
4 eliminate entirely Grade A, and for example, a pilot
5 of Grade B could pilot all vessels?

6 A. I certainly did not express such an
7 opinion. If I did so, I did so making a mistake because
8 after all it is absolutely essential to have pilots
9 Grade A.

10 ENGLISH

11 COMMISSIONER RENWICK: I have one
12 question that refers to yesterday's testimony. Mr. Hamelin
13 in dealing with the draught at Three Rivers, and the
14 question by solicitor, Richards, speaking about the
15 draught at the berth as compared to the draught at the
16 turning basin, I have a note here which I think is
17 wrong and that is that taking aboard water, after leaving
18 the berth might add as much as two feet to the draught.
19 I think I am wrong in that. I was wondering if you
20 would correct that figure?

21 MR. HAMELIN: Yes, Mr. Commissioner.
22 I meant that especially underway, like tankers, you know,
23 might be taking water on the way down river and might
24 increase their draught sometimes as much as three and
25 four feet.

26 COMMISSIONER RENWICK: As much as
27 three and four feet?

28 MR. HAMELIN: Yes, but tankers you
29 know, not a ship that has left the elevator fully loaded,
30 it might take on water and that would increase his draught



1 ENGLISH

2 maybe an inch or two. No more.

3 COMMISSIONER RENWICK: That answers
4 my question. I had two feet here for the basin. I was
5 convinced I was wrong.

6 MR. JACQUES: Captain Hamelin, talking
7 about this subject, you said that tankers might take
8 water on their way down river. Would you know whether
9 this is by way of ballasting a ship, completing the
10 ballasting arrangements of the ship?

11 THE WITNESS: Yes. Some is for ballast-
12 ing, others is for to transport this fresh water to
13 some refineries in the south, like the Shell Oil do
14 every trip.

15 MR. JACQUES: But the average cargo
16 ship might take some water but the draught would not be
17 increased by feet?

18 MR. HAMELIN: No.

19 MR. JACQUES: When a tanker takes on
20 water, as she goes down the river, are you advised of
21 the fact that she does?

22 THE WITNESS: Sometimes we are. Some-
23 times we are not. You see I mean it is for the Pilot
24 to be on the alert and ask questions, you see.

25 MR. JACQUES: And I take it then that
26 if the tanker took on water it must be going down river
27 in a light condition?

28 THE WITNESS: Of course they are.

29 MR. JACQUES: Not loaded tankers?

30 THE WITNESS: No.



RPS 1 THE CHAIRMAN: Any further questions?

2 Thank you Mr. Hamelin

3 MR. LALONDE: Your lordship, Mr. Hemond,

4 I would like to call him back into the witness stand

5 just for the production of certain documents.

6

7 DIRECT EXAMINATION BY MR. LALONDE:

8

9 MR. LALONDE: Q. You are under the same

10 oath as this morning, Mr. Hemond. You were asked to

11 file the minutes of the assemblies in connection with

12 the stoppage of work in 1962. I show you a photostat

13 of the special assembly of the Corporation of Mid-

14 St. Lawrence Pilots, 30th of March, 1962 and of another

15 assembly, special assembly of the Corporation of Mid-

16 St. Lawrence Pilots and of the United Montreal Pilots

17 of the 6th of April, 1962 as well as a photostat

18 of the minutes of an assembly of the Board of Directors

19 of the Corporation of Mid-St. Lawrence Pilots and

20 the United Montreal Pilots, 30th of March, 1962 as

21 well as an assembly of the Executive, March, 1962.

22 Can you tell me if this is a copy of your

23 minute books and if the certificate appearing below

24 this document is the same?

25 A. Yes, that is correct.

26 Q. I also show to you a photostat of

27 a telegram addressed by A. Tremblay without indication

28 of the addressee to which is added a certificate

29 signed by yourself to the effect that the telegram

30 convenes the members to assembly on the 6th of April,



1 French

2 1962. Can you tell me if this telegram was in fact
3 sent to each of the members of the Corporation of
4 Mid-St. Lawrence Pilots and the United Montreal Pilots?

5 A. Yes.

6 Q. I further note that there was an
7 assembly on the 30th of March, 1962 which at the
8 beginning contains a transcript of a letter addressed
9 by yourself without any indication as to the addressee
10 which letter indicates the convening of members of the
11 Corporation of the United Montreal Pilots in March
12 1962. Can you tell the Commission if this convening
13 indicated in the minutes of assembly was sent, in
14 fact, to all members of the Corporation of Mid-St. Lawrence
15 Pilots and the United Montreal Pilots?

16 A. Yes.

17 MR. LALONDE: I wish to produce these
18 minutes as well as the indication of meetings to be
19 held as Exhibit 782.

20
21
22
23
24
25
26 Q. Mr. Hemond, I show to the Commission
27 some correspondence in relation to the distance to
28 be kept between the keel and the River. I show you
29 a letter, it is a photostatic letter signed by the
30 Assistant Secretary of your Corporation to Mr. Catinus



1 French

2 concerning the Petroleum Corporation and a photostat
3 of a reply of Captain Catinus to yourself dated the
4 26th of April, 1963. Would you tell the Commission
5 whether this is the correspondence exchanged, in fact,
6 between your Corporation and the Pilotage Authority
7 in relation to the reduction of what is in English
8 the under keel clearance of three feet. This will
9 be Exhibit 783, correspondence between the Department
10 of Transport and the Corporation of Mid-St. Lawrence
11 Pilots concerning the request of the Petroleum Corp-
12 oration to reduce the under keel clearance, the distance
13 between the bottom of the ship, keel of the ship and
14 the river, March 1962 -- excuse me, it is dated April
15 26th, 1963.

16
17 ---EXHIBIT NO. 783:

Correspondence between
the Department of Trans-
port and the Corporation
of Mid-St. Lawrence
Pilots concerning the
request of the Petroleum
Corporation to reduce the
under keel clearance.

18
19
20
21
22 Q. Now, furthermore reference was made
23 this morning to correspondence exchanged between the
24 D.O.T. and your Corporation in relation to the ruling
25 of the Department with a view of deducting a part of
26 the administration costs of pilotage from the income
27 earned by the pilots. I show you a photostat copy of
28 a letter addressed to Mr. J.R. Baldwin, Deputy Minister
29 of Transport to Captain Roger Laliberte, President
30 of the Corporation of Mid-St. Lawrence Pilots dated the



1 French

2 15th of September, 1961 and the reply of Mr. Louis
3 Marchand, President of the same Association dated the
4 14th of October 1961. Could you tell me if this is
5 correspondence exchanged between the Department and
6 your Corporation in this connection?

7 A. Yes.

8 Q. I understand the letter was addressed
9 to Mr. Laliberte. Was he President at the time?

10 A. He was the year before. Mr. Baldwin
11 wasn't informed of the change.

12 Q. Was he President at the time?

13 A. This was in January.

14 Q. Did you send each year to the Pilotage
15 Authorities in Montreal a list of the officers elected
16 by your group?

17 A. Yes.

18 THE CHAIRMAN: These documents are produced
19 as Exhibit 784.

20
21 ---EXHIBIT NO. 784:

Correspondence between
the Department of Trans-
port and the Corporation
of Mid-St. Lawrence Pilots
regarding the application
of income of the pilots
for the administration
of pilotage, 15th of Sept-
ember and 14th of October,
1961.

22
23
24
25
26
27 MR. LALONDE: Q. Do you draw up financial
28 statements of the Corporation and the United Montreal
29 Pilots each year?

30 A. Yes.



1 French

2 Q. These financial statements are verified
3 by your auditors?

4 A. Yes.

5 Q. Because a copy is given to each of
6 the members of the Corporation of Mid-St. Lawrence Pilots
7 and the United Montreal Pilots?

8 A. Yes.

9 Q. Now, during these administration
10 meetings of the Board of Directors do the Board of
11 Directors received financial statements of a provisional
12 nature?

13 A. Monthly.

14 Q. I show to you copies of the financial
15 statements of the Corporation of Mid-St. Lawrence
16 Pilots and United Montreal Pilots for the year expired
17 31st of December 1958 until 31st of December, 1962.
18 Could you tell the Commission if these are the financial
19 statements of these periods?

20 A. Yes.

21 MR. LALONDE: I would like to file them
22 as a bundle, financial statements of the United Montreal
23 Pilots and the Corporation of the Mid-St. Lawrence Pilots
24 for the period 1958 to 1963. That will be Exhibit No.
25 785. Thank you.

26
27 ---EXHIBIT NO. 785:

28 Financial statements,
29 filed as a bundle of
30 the United Montreal
Pilots and the Corporation
of the Mid-St. Lawrence
Pilots for the period
1958 to 1963.



1 French

2 MR. BRISSET: I would ask for permission
3 to delay the cross-examination until we have had a
4 chance to examine these documents...

5 THE CHAIRMAN: Yes, this is all right.

6 MR. LALONDE: I wonder if perhaps, if it
7 might not be possible if there is not time this after-
8 noon or perhaps tomorrow -- can you come back tomorrow?

9 THE WITNESS: Yes I can.

10 MR. LALONDE: Tomorrow morning if that
11 is all right.

12 THE CHAIRMAN: Well then the testimony will
13 take place tomorrow morning, that is cross-examination.

14 MR. LALONDE: I will call Mr. Roger
15 Gagne.

16
17 ROGER GAGNE, Sworn

18
19 DIRECT EXAMINATION BY MR. LALONDE:

20
21 Q. What is your name?

22 A. Roger Gagne.

23 Q. Your age?

24 A. 33 years of age.

25 Q. What is your job?

26 A. Pilot in section Montreal to Three
27 Rivers.

28 Q. What grade pilot are you?

29 A. Grade B.

30 Q. Since when have you been a pilot in the



1 French

2 District of Montreal?

3 A. I entered in 1958.

4 Q. Did you hold a elective positions in
5 the Corporation of Mid-St. Lawrence Pilots or the
6 United Montreal Pilots?

7 A. I was Director for two years, 1960
8 and 1961 of the Administrative Board. This year I
9 am a member of the Committee for Admissions and Promotions.

10 Q. Are you aware of what is happening
11 at the moment in your District?

12 A. With the new system entered into
13 being as of the 7th of October, 1961, I was on the
14 Committee for Admissions and Promotions.

15 Q. So you were where when the system
16 came into being in October, 1961?

17 A. Well at that time I should say I
18 was a member of the Committee of Admissions and
19 Promotions.

20 Q. Could you explain briefly to the
21 Commission what is the system of apprenticeship which
22 exists at the moment in your District?

23 A. At the moment it is a system known
24 as the transitional period. Well, first of all
25 it consists of a process of elimination. There is
26 an examining jury which includes the Regional Super-
27 intendent, the President, there is a member of the
28 D.O.T. -- on my first occasion of meeting he was
29 elected Secretary, and three members of the Pilots'
30 Committee. The system itself, they have, of course,



1 French

2 naturally an examining jury who studies the desirability
3 of necessity of pilots in apprenticeship. When there
4 is a desirability or a necessity for apprenticeship
5 then there is a public request put in the newspaper
6 for apprentices who may come before the Examining Board.
7 They have to take an examination and the candidates
8 who succeed are recommended -- well a list is drawn
9 up. After we see them they are recommended to do a
10 two-year course in the Marine School and then afterwards
11 to serve for 12 months on sea vessels or coasters and
12 so on, and when they go through this they come up again
13 before the Examining Board. We have large groups.
14 This happens each year and when new apprentices are
15 required then there are new examinations and these
16 people may then become apprentice pilots. At the same
17 time we have a period of transition -- before this
18 new period came into being we had a long list of
19 apprentices for pilotage, and those who were on the
20 list before the date, which you will find here,
21 before the 15th of April, 1961, one was obliged to
22 keep these apprentices so there were set up four new
23 lists, or five new lists. The first of which contains
24 all those who had one year of study at the Marine
25 School at Rimouski with a certificate of first master,
26 and these persons go on to No. 1 list.

27 At the same time you have No. 2 list
28 containing those with two years in the Marine School
29 of Rimouski and 12 months at sea.

30 List No. 3 which is the Marine School at



1 French

2 Rimouski, list No. 4 is the certificate of first
3 officer for coastal service, and then No. 5 for those
4 who were to become pilots. This No. 3 for the
5 Marine School at Rimouski and go for another year
6 to the Marine School plus 12 months at sea. No. 4
7 list you have a certificate of first master from the
8 Marine School of Rimouski for one year. Those who
9 fulfil these conditions -- of course you have there
10 who are up far on the list -- they go on to No. 5 list
11 and each time you need new apprentices -- this is
12 done reasonably well during the winter, and those who
13 are on one list are put on a better list and when
14 you want apprentice pilots then you look at No. 2 and
15 No. 3 lists.

16 Q. Well if I understand you properly
17 at the moment you are still using this transition
18 system?

19 A. Yes.

20 Q. Has it happened that you have sat
21 on the Examining Board or jury?

22 A. Several times.

23 Q. How many pilots of the District sit
24 on this jury?

25 A. In the new system there are three
26 pilots on the Examining Board, two pilots on the
27 Committee -- sometimes it has happened, you see what
28 happens, you have these examiners, you have two pilots
29 of the District and from another District but the
30 same is here that habitually it has been to have pilots



1 French

2 on the Committee of Admission and Promotion in order
3 to assist.

4 Q. Well now, you have three pilots from
5 the District on this Committee. How many representatives
6 are there of the pilotage and Regional Superintendent?

7 A. Regional Superintendent and someone
8 from the Department.

9 Q. Could you explain to the Commission
10 briefly the way this Examination Board works, how it
11 proceeds?

12 A. Well, the assembly of course is
13 presided over by the President -- the Regional
14 Superintendent -- the minute book is read by the
15 Secretary as you were told previously for the
16 representatives of the D.O.T. They read the minutes
17 of the previous assembly which are accepted by the
18 Examining Board. Afterwards questions are put by the
19 President. The pilots discuss these matters. Since
20 the system was set up it has worked very well.

21 Q. Now, can you explain to the
22 Commission what happens when there is an examination,
23 when the jury sits to hear a candidate for apprentice-
24 ship?

25 A. Well, before the examination, of
26 course, the request is put into the jury which
27 recommends to the Department -- this has to be done
28 in writing, and when the request is accepted or
29 application is accepted there is a Committee sitting
30 and then the apprentices come along. As a general rule



1 French

2 this happens in the office of the Superintendent of
3 the District and a representative of the D.O.T. makes
4 them pass examinations on seamanship. Then if the
5 candidate succeeds in this examination, when the
6 seamanship examination has been taken then a represent-
7 ative of the pilotage also takes part in the examinations
8 and when a candidate is successful on the seamanship
9 then he is taken for the examination of the River,
10 that is the pilotage, with a representative of the
11 Department of the Government in the pilotage examin-
12 ations.

13 If he succeeds in both examinations then
14 the Examining Board recommends to the Department to
15 give a pilot's licence and to give him a position.

16 Q. Has it occurred that candidates
17 haven't succeeded in their examinations?

18 A. This happens each time there has
19 been an examination.

20 Q. That the candidates weren't admitted?

21 A. Yes.

22 Q. Well, has it happened to your
23 knowledge that there has been a difference of opinion
24 or in other words there has been a controversy as to
25 the admission or refusal for a candidate following
26 failure in an examination?

27 A. No.

28 Q. In short, what I mean by my question
29 is has the decision always been unanimous, where there
30 is a failure, by the Admission body involved?



1 French

2 A. I would say 90 per cent -- well,
3 there has been a case in Three Rivers where there was
4 a pilot -- well he went off in an ambulance and he
5 couldn't take the examination.

6 Q. I understand that you have examinations
7 for apprenticeship. Is it the same Examining Board
8 that sits for the admission of pilotage once the
9 apprentice, let us say is at the end of his apprentice-
10 ship?

11 A. The same jury.

12 Q. Do you have examinations on
13 apprenticeship by the Examining Board?

14 A. Well, during the first three years
15 under the new system the apprentices have to follow
16 a course of an indeterminate period from one year to
17 the next under the jurisdiction of the Marine School
18 at Rimouski and for a few years past this course was
19 given in the Technical School of Quebec by pilots and
20 by teachers of the Marine School at Rimouski and at
21 the end of this course there is the examination which
22 is taken, an official one. The results are sent to
23 the Examining Board. The Examining Board takes part
24 in the examinations at the Technical School, or the
25 School of Technology in Quebec.

26 Q. These examinations, how are they
27 prepared?

28 A. Well, the seamanship examination is
29 drawn up by the teachers of the Marine School in
30 Rimouski. The River examination is drawn up, prepared



1 French

2 by the Examining Board, the three pilots.

3 Q. Who does this teaching in Quebec?

4 A. They are teachers who have been
5 recommended to the Marine School in Rimouski and
6 accepted.

7 Q. Have been recommended by whom?

8 A. By the Administrative Committee.

9 Q. The Board of Directors, Committee
10 of Admissions and Promotions?

11 A. (Non-interpreted answer.)

12 Q. During the navigation season or
13 during the winter?

14 A. Last year during the winter season --
15 I have the date, the 8th of February -- no, from the
16 9th of January to the 22nd of February, excuse me.

17 Q. These teachers, are they paid?

18 A. The teachers are paid. They are
19 paid by the Marine School of Rimouski. I don't know
20 the exact amount. Last year -- not only last year --
21 there was remuneration paid by the Corporation of
22 Pilots, meaning, I suppose, the Mid-St. Lawrence Pilots.

23 Q. Is there a teaching programme?

24 A. There is a syllabus which has been
25 drawn up, the last time.

26 Q. I show you a syllabus of studies
27 for the winter course. Would you take cognizance of
28 this document and tell me if it is the teaching
29 programme for the winter course by the group of
30 pilots?



1 French

2 A. This is the syllabus which has
3 drawn up when the course was established the first
4 time . It has been improved a little, but generally
5 speaking it is the thing.

6 Q. What is the date according to this
7 teaching programme?

8 A. Well, it is after, with the ruling
9 we put in force it was in 1961.

10 Q. I would like to file this document
11 entitled syllabus of study of winter course,
12 Corporation of Mid-St. Lawrence Pilots as Exhibit
13 786.

14
15 ---EXHIBIT NO. 786:

Syllabus of study of
16 winter course, Corporation
17 of Mid-St. Lawrence Pilots.

18 Q. Now, could you tell the Commission
19 just briefly speaking what is contained in the teaching
20 programme set up over three years. Can you tell
21 the Commission?

22 A. Well, the three years of apprentice-
23 ship, of course, the minimum period is three years,
24 therefore it is divided into three years. The first
25 year students take first knowledge of pilotage, they
26 learn about various factors involved.

27
28
29 -----
30



1 FRENCH

2 Well in short, the first year is technical
3 knowledge of the river, and then in the second year
4 you get the rules and regulations or by-laws. You get
5 the matter of ports and harbours and you can say that
6 it is a question of the improvement or the finer points
7 of pilotage, and then the third year you have an even
8 greater improvement or refinement plus the By-laws of
9 the Shipping Act, perhaps six or seven questions on
10 water pollution, The St. Lawrence Seaway reports of
11 accidents, the characteristics of the berths and basins,
12 manoeuvring of the ships according to their loads, and
13 so on, according to their tonnage.

14 Q. How is the practical training under-
15 taken by an apprentice in your District?

16 A. Well during the navigation season the
17 apprentice's name is put on the assignment list just like
18 the pilots. There is a minimum number of trips that
19 must be accomplished between Quebec and Montreal which
20 includes five trips to Three Rivers, five to Sorel and
21 one hundred other trips, eighty of which will have to
22 be from Montreal to Quebec. Generally speaking the
23 apprentices do twenty per cent more trips than this min-
24 imum amount.

25 Q. Did you say one hundred other trips?

26 A. Yes, one hundred other trips aside from
27 those five to Three Rivers and five to Sorel and amongst
28 these one hundred trips, eighty must be from Quebec to
29 Montreal.

30 Naturally during the summertime there is a



1 FRENCH

2 cruise, with the exception of last summer because the
3 vessel given by the Navy was not working properly, but
4 usually during the summer there used to be a cruise last-
5 ing 15 days and it was in order to have the Supervisor
6 and Directors from the School at Rimouski improve the
7 apprenticeship.

8 Q. Did you go on board yourself during
9 these cruises? Did you yourself do some cruises on
10 board too?

11 A. Yes.

12 Q. Could you please repeat your answer?

13 A. During my last year as an apprentice
14 pilot, well I did that cruise on this school ship.

15 Q. To your own mind do you think the
16 cruise of this training ship, the idea of training an
17 apprentice on the cruise ship should be continued or
18 would it be possible to do away with it?

19 A. Well personally I would favour this
20 training ship.

21 Q. Are the apprentices paid?

22 A. They get \$15.00 per trip from Quebec
23 to Montreal.

24 Q. Do you think that this amount of
25 \$15.00 is paid during all the years of their apprenticeship?

26 A. Yes.

27 Q. Do you think this amount of \$15.00
28 is paid to them even the first year of apprenticeship?

29 A. I couldn't say exactly but I think
30 on the first year they only get \$12.00, not \$15.00, but



1 FRENCH

2 I couldn't be too sure about that.

3 Q. And how does that assignment list op-
4 erate for the apprentices as compared to that of the
5 Pilots? Are the apprentices assigned to vessels by
6 the Pilotage Authority or are they free to choose vessels
7 they wish?

8 A. I must tell you at a given time they
9 were free to choose the vessels. Always there was a
10 list free to choose but ever since we have had a Board
11 of Examiners we have supervised even more the trips
12 accomplished by the apprentices in order to force them
13 to accomplish the required number of trips. Naturally
14 most help them out to accomplish the required number
15 of trips, and naturally we have to see to it they are
16 despatched on board ships so we have asked through the
17 representatives, we asked through the Board of Examiners
18 to see the Authorities in order to see to it that the
19 apprentices are despatched in Quebec and Montreal so
20 our whole state of affairs has improved a great deal.

21 At the present time the apprentices are
22 despatched the same as pilots in Quebec and Montreal and
23 they cannot lose their turn. If they do lose their turn,
24 they start again at the bottom of the list, and so
25 forth.

26 Q. This amount of \$12.00 or \$15.00 that
27 you have mentioned is a charge of the Pilotage Authority
28 to the vessels or is the apprentice responsible for
29 this directly?

30 A. They get it themselves usually dir-



1 FRENCH

2 ectly. They have a slip which is signed by the ship-
3 master and then this is sent to the ship agency and then
4 they are paid.

5 Q. So this is not done the same way as
6 for the Pilots' Source Form by the Pilotage Authority?

7 A. No.

8 Q. What is the duty of the Promotion and
9 Membership Committee of your group as regards the Board
10 of Examiners and as regards apprenticeship in general?

11 A. Well I should say that the Membership
12 and Promotion Committee was previously doing what is
13 being done at the present time by the Board of Examiners.
14 That Committee was looking after apprenticeship at
15 large and the body governing apprentices and the aspiring
16 apprentices but with the advent of the new by-law, a
17 great deal of those duties are assumed by the Board of
18 Examiners but we have decided to keep the Apprenticeship
19 and Promotion Committee in existence because we found
20 that perhaps in the future that we would have some
21 news from that Committee and two members of the Committee
22 are members of the Board of Examiners and these two
23 members submit a report to the Committee on Membership
24 and Promotion which in turn submits a report to the
25 Board of Directors.

26 Q. Does the Chairman of the Promotion and
27 Membership Committee submit a report to the general
28 annual assembly?

29 A. Yes.

30 Q. Thank you.



1 ENGLISH

2 CROSS EXAMINATION BY MR. MASON:

3 Q. Pilot you said you were 33 years of
4 age. Is that correct?

5 A. Yes sir.

6 Q. And that you had been a pilot since
7 1958?

8 A. Yes.

9 Q. How long were you an apprentice?

10 A. Five years.

11 Q. Is that duration of time, five years
12 as an apprentice, average in this day and age or are
13 some apprentices apprentices for a longer period of time?

14 A. Well all depends on the period of time.
15 Just after the War a lot of them were -- the duration
16 was about five years and then a few years before my
17 time the duration was three, three and a half years and
18 I believe it is one or two before, just before me that
19 started doing five years again and after me it went to
20 six, some of them seven years.

21 Q. And did you yourself attend the
22 Marine School in Rimouski?

23 A. Yes sir. Two years.

24 Q. For two years. And then you became
25 an apprentice shortly after that?

26 A. No. I attended the school in 1948,
27 1949 and became an apprentice in 1953.

28 Q. And what did you do between 1949 and
29 1953?

30 A. I was sailing.

Q. Whereabouts were you sailing?



1 ENGLISH

2 A. With the Shell Oil.

3 Q. On what trades would you be engaged
4 in?

5 A. Foreign.

6 FRENCH

7 CROSS-EXAMINATION BY MR. BRISSET:

8
9 Q. During your apprenticeship, how many
10 trips have you accomplished every year, in round figures?

11 A. Approximately 80. Well between 80
12 and 100 per year.

13 Q. During your apprenticeship the
14 number of required trips, the minimum required number
15 was how many?

16 A. 50.

17 Q. And that minimum now has been increased
18 to 100 plus 10 special trips?

19 A. Yes.

20 Q. You told us, regarding the Board of
21 Examiners, that as the District was divided in two, when
22 the Board of Examiners was in session it was helped by
23 members of the Membership and Promotion Committee. Did
24 I understand you properly?

25 A. Yes.

26 Q. Could you please tell me what part
27 is played on the Board of Examiners by the Membership
28 and Promotion Committee?

29 A. Well simply the part of an advisor,
30 purely and simply.



1 FRENCH

2 Q. And how many advisors help out the
3 Board of Directors thus?

4 A. Well one or two.

5 Q. So in fact you have four or five pilots,
6 aside from the two representatives from the Pilotage
7 Authority?

8 A. No, I wouldn't say that. The two
9 members from the Membership and Promotion Committee have
10 nothing to say whatsoever insofar as the District is
11 concerned. They are there ~~as~~ as an observer. Let us say
12 you have a member of the Board of Directors who is a
13 member of the Three Rivers to Montreal District. Well
14 they will help out this pilot but any decision to see
15 to it that one of the candidates fails or passes his
16 examination, they have nothing to say even when the
17 discussion is taking place within the Board of Examiners.
18 They don't take part in the discussion.

19 Q. Now you described the examination and
20 if I understood you properly it was an examination
21 passed by one or more apprentice pilots in order to become
22 pilots. Is that the fact?

23 A. Yes.

24 Q. So you have, in the first place,
25 certain questions having regard to seamen. Questions pre-
26 pared by the representatives of the Department as well as
27 the Local Supervisor?

28 A. Yes.

29 Q. Then you have an examination on the
30 pilotage, per se, and I surmise that the questions are



1 FRENCH

2 put by the pilots themselves who are members of the
3 Board of Examiners. Is that a fact?

4 A. Yes.

5 Q. The examination mentioned here is that
6 an oral examination? Written examination or both?

7 A. In the seamen examination, I think half
8 of it is written and the other half is oral and for
9 the examination on the river, it is an oral examination.

10 Q. So the pilotage examination is an
11 entirely oral one?

12 A. Yes.

13 Q. Is a charge made to the apprentice
14 pilot to pass or to submit to that examination?

15 A. Well there is a charge made according
16 to the law by the D.O.T. I think that the amount is \$15.00.
17 I would have to look that up. \$15.00.

18 Q. Which is payable by the apprentice
19 pilot?

20 A. Yes.

21 Q. To the D.O.T. I suppose?

22 A. Yes.

23 Q. Is there a charge made by the Corpor-
24 ation? I suppose not?

25 A. To the apprentice? No.

26 MR. LALONDE: I would request the witness
27 to say yes or no because naturally nods do not always
28 appear in the stenographic notes.

29 THE CHAIRMAN: I see in the By-laws
30 for the Montreal District, second part, Article 28 (1)(b)



1 FRENCH

2 to submit to admission as an apprentice after he has paid
3 the fee of \$10.00. Does that apply? This is another
4 article then?

5 THE WITNESS: This is Article 36,
6 sub-article 1.

7 THE CHAIRMAN: So 36 (1) \$15.00.

2 8 Q. To submit to the examination in order
9 to become a pilot so the fees to be paid are \$10.00 in-
10 stead of \$15.00?

11 A. Yes. To become an apprentice it's
12 \$10.00 for the examination and \$15.00 to become a pilot.

13 Q. To get back to the manner in which
14 the examinations are given for pilots, taking for
15 granted that the candidate fails in his examination
16 in the field of seamanship, does that mean that for him
17 it represents the end of the examination?

18 A. Yes. Practically automatically because
19 naturally the candidate must pass all of his examination.
20 It may have happened that after having passed part of
21 the examination-in-seamanship, but there is a general
22 rule wherever the candidate fails in the field of
23 seamanship, this is the end of it all.

24 Q. Whilst you were a member of the Board
25 of Examiners did it ever happen that a candidate has
26 passed his examination in the field of seamanship and
27 then afterwards was failed in the following examination
28 of pilotage?

29 A. Yes. In 1962 for one examination
30 there were nine candidates. Four failed the examination,



1 FRENCH

2 the written examination for seamanship, five passed.
3 Amongst this five, one of them failed the oral examination
4 in seamanship and four passed the oral examination in
5 seamanship. Amongst these four, two of them failed the
6 pilotage examination.

7 Q. So out of the group only two succeeded
8 and passed with success all of the examinations?

9 A. Yes.

10 Q. When a candidate fails his examination
11 to become a pilot, what happens to that fellow? Is he
12 sent back to apprenticeship and he will be able to
13 start his examination later on?

14 A. Well everything depends because every
15 individual case is studied by the Board of Examiners
16 and everything depends upon the results achieved during
17 the examination. Certain candidates can come back a
18 month or two months later to pass another examination
19 and some others can come back only after a year for
20 another examination so in the meantime the candidate
21 goes back to apprenticeship.

22 Q. Were there any candidates who, having
23 failed their examination, were forced to abandon appren-
24 ticeship entirely?

25 A. One of them was rejected because the
26 by-laws at the present time provide that he can have
27 three tries at the examination. One of them was rejected
28 completely after these three failures but the other case,
29 I don't remember, but I think he withdrew before being
30 rejected.



1 FRENCH

2 Q. During his apprenticeship, Pilot, is
3 the apprentice informed about the Corporation of the
4 Mid St. Lawrence Pilots or about the Society United
5 Montreal Pilots and how these two organizations operate?

6 A. Well to say that there is a course
7 given about the Corporation or the Association, I
8 couldn't tell you exactly. I am sure that with the
9 different meetings or contacts that the apprentice may
10 have with Pilots, because he has to accomplish more
11 than 130 or 140 trips, he must discuss this matter with
12 the Pilots and must be in the know.

13 Q. Do you know at what time an apprentice
14 pilot, who submits to the examination to become a
15 pilot, will be contacted to become a member of the
16 Corporation of your District?

17 A. Usually this is when the candidate
18 has been officially admitted and he has passed with
19 success his examination. Then he is asked if he wants
20 to become a member of the Corporation and most cases
21 the request was made about a week or two weeks after.

22 Q. You mean after having passed with
23 success the examination?

24 A. Yes.

25 Q. Normally who contacts the apprentice
26 who has just passed his examination with success in order
27 to become a member of the Corporation according to your
28 own experience?

29 A. Well there is no one who is delegated
30 to that effect, but generally speaking the President or



1 FRENCH

2 the representative of the Corporation does that.

3 Q. When an apprentice is undergoing his
4 apprenticeship and performing his trips within the
5 District, what is the rule of the Pilot on board a
6 vessel who has an apprentice accompanying him on board
7 the vessel regarding the training to be given to that
8 apprentice? Could you give us some idea about it?

9 A. Well this becomes a kind of theoretical
10 and practical training course at the same time because
11 the Pilot, naturally I am speaking here of our own Dis-
12 trict, there are many landmarks and naturally the Pilot
13 and the apprentice discuss about these landmarks, and
14 they ask, for example, what type of mark there is for
15 a given buoy and when the ship is upbound or downbound
16 the two discuss these matters regularly and whenever
17 the apprentice is a little bit more experienced, there
18 are certain cases where the Pilot will let the apprentice
19 do the work under the jurisdiction of the Pilot and
20 if the apprentice sometimes may turn too fast or too
21 late in a bend, then the Pilot is going to explain to
22 him exactly what to do, so this becomes a type of theo-
23 retical and practical course.

24 Q. Are there certain standards established
25 indicating in what way the Pilot should teach or
26 educate, if I can use that expression, the apprentice
27 who will come on board a vessel with him or is that left
28 to the discretion of each and every pilot?

29 A. Well this may be left to the discretion
30 of each and every Pilot but this is kind of an unofficial



1 FRENCH

2 law which has been established from father to son and
3 has been passed from the senior member to the junior
4 member but each Pilot in himself is interested to see
5 to it that each apprentice will become a good pilot
6 because in the future he will have to work with him and
7 if he knew the pilot naturally doesn't have the right
8 attitude, it might give rise to conflicts or difficulties.

9 Q. Within your District do you think that
10 the duties of the pilots are usually transmitted from
11 father to son, generally speaking?

12 A. Well perhaps not. This perhaps occurred
13 in the past but not at the present time. Personally
14 I do not have any relatives of my own in the field of
15 pilotage.

16 Q. You told us that \$12.00 during the
17 first year of apprenticeship and \$15.00 for apprentices
18 during the two subsequent years, received by the appren-
19 tice pilot is paid to him by the shipowners and you told
20 us that it was up to the apprentice pilot to see to
21 it that he was paid himself directly.

22 What method is used exactly by the apprentice
23 pilot to get paid?

24 A. Well I stated beforehand he is going
25 to fill out a special card with the name of the ship,
26 the name of the ship's agent. He leaves from Quebec
27 to Montreal signed by the ship master and certain
28 apprentices do go directly to see the agent here in
29 Montreal and are paid by the agent or the representative
30 of the shipping company. Others send this by mail and



1 FRENCH

2 the shipping company pays them by mail.

3 Q. Is that payment done sometimes through
4 the office of the Corporation?

5 A. No, but at times it may be done
6 through Mr. Viau or one of the despatchers
7 in Montreal who try to look after that for the apprent-
8 ices but it has never been done by the office of the
9 Corporation.

10 Q. Does the practice we have heard spoken
11 about in another District exist in Montreal. This method
12 consists of hiring the services of a clerk let us say
13 at the Pilotage Office in order to get this amount of
14 money and for that he is paid a certain sum?

15 A. Yes, this exists in Montreal.

16 Q. Do you know what the indemnity is,
17 is he paid for the collection of an account?

18 A. I think it is 25 cents.

19 THE CHAIRMAN: We will adjourn for
20 a short recess.

21
22 ---SHORT RECESS.
23
24
25
26
27
28
29
30



1 ---UPON RESUMING AFTER RECESS.

2 MR. JACQUES: If the Commission wishes
3 I would like to ask my confrere to be good enough to
4 supply the name, the date at which all the Pilots signed
5 his request for membership in the Corporation of Mid
6 St. Lawrence Pilots?

7 THE CHAIRMAN: I think it was produced
8 in Quebec. Mr. Lalonde isn't here. Can you take a
9 note of this.

10

11 CROSS-EXAMINATION BY MR. JACQUES:

12 Q. Did you obtain some kind of certificate?

13 A. Coastal service.

14 Q. Coastal service and the other was
15 long distance service?

16 A. Yes.

17 Q. You are an officer?

18 A. No.

19 Q. Not an officer either. Are you one of
20 the teachers for apprenticeships in the winter course?

21 A. No.

22 Q. Who chooses the teachers?

23 A. The Committee of Admission and Promotion
24 makes its recommendations to the Board of Directors
25 who chose.

26 Q. Then the administration chooses the
27 teachers. Now, how many hours of courses per day are
28 given?

29 A. The exact number of hours I can't
30 tell you exactly the number of hours.



1 FRENCH

2 Q. Well, is there a morning session and
3 an afternoon session?

4 A. Oh yes, it lasts all day, but there
5 are periods for rest.

6 Q. How many days a week is it?

7 A. Five days a week.

8 Q. Five days a week?

9 A. Yes.

10 Q. You briefly described what apprentices
11 do aboard a vessel. I imagine that this changes with
12 the number of years of apprenticeship?

13 A. Yes.

14 Q. That is so?

15 A. Yes.

16 Q. Well does it happen the apprentice
17 takes rest periods when in transit from Montreal to
18 Quebec or vice-versa?

19 A. Like the Pilots he is entitled to some
20 rest during each trip.

21 Q. I am talking of the trip itself?

22 A. Yes, it does happen.

23 Q. It does happen?

24 A. Yes.

25 Q. Does it happen that a pilot gives
26 some compensation to the apprentice so that the apprentice
27 may do a part of this task, his work?

28 A. How do you mean?

29 Q. Well, say a pilot is tired or sick
30 or for any reason whatever it may be, may he say to the



1 FRENCH

2 apprentice, well, look here, would you do this or that
3 part of the trip and I will give you \$10.00, \$20.00,
4 whatever it may be?

5 A. Personally I have never known this.

6 It has happened to me several times that Pilots have given
7 me a few dollars, but it hasn't been a question of
8 so much dollars for a job, so to speak, a certain set
9 amount of dollars.

10 Q. Are Pilots required to make reports
11 on the aptitude of the apprentices they have aboard their
12 ships?

13 A. Not in general, no.

14 Q. What do you mean when you say "in
15 general?"

16 A. Well, if an apprentice works in such
17 a way that the Pilot is dissatisfied -- I have never
18 seen this, but there may be cases where a Pilot may make
19 a report on the apprentice to the Pilotage Authority
20 and they may convey this to the Administrative Authorit-
21 ies.

22 Q. The Pilot isn't required to do this?

23 A. No, he isn't required to do it.

24 Q. In your view what is the knowledge that
25 a Pilot of a District, Quebec to Montreal, Ottawa --
26 what knowledge -- what should be his knowledge?

27 A. How do you mean?

28 Q. Well, must he know for example naviga-
29 tion, astronomical navigation? Is this necessary for
30 his work?



1 FRENCH

2 A. No.

3 Q. Work on maps, how to read a map?

4 A. Regarding the map -- I would say this
5 map work is of the officer. I feel the Pilot should
6 know for looking at it, just casting a glance at it,
7 he should know such and such a point, sort of a check
8 point enabling him to know where he is in deep-water
9 or things like that. I don't know if you would exactly
10 call it map work.

11 Q. ~~It is~~ what do you call chart work if
12 you like?

13 A. Chart work, that is to some extent, but
14 it isn't absolutely necessary.

15 Q. Well, seamanship, what knowledge must
16 he have?

17 A. Let us say that he should have a lot
18 of seamanship knowledge.

19 Q. Rules of collisions at sea?

20 A. Yes, Rules of the Road of the Sea,
21 if you like, he has to know about manœuvring ships,
22 about currents -- you take an example, you are going
23 up with a loaded vessel, there is a big difference where
24 you have a turn with a loaded ship and a lightly-loaded
25 ship.

26 Q. In short he has to know how to use
27 a hand sounder, must he know this?

28 A. Yes, he should know this.

29 Q. Well, what about lifesaving manœuvres?

30 A. Yes.



1 FRENCH

2 Q. What about apparatus for fire-fighting?

3 MR. LALONDE: On ground or at sea?

4 THE WITNESS: It depends on which way
5 you look at it. Naturally it is a part of the technical
6 knowledge of seamanship, but you can't say you are going
7 to have fires on every few trips. He has to have some
8 knowledge, of course, for a Captain must know how to
9 tackle fires.

10 Q. This is knowledge that is required?

11 A. Yes.

12 Q. Building of ships, various types of
13 vessels?

14 A. This is fairly important if you should
15 damage a ship. It is quite an important matter.

16 Q. What about disposition in the holds
17 of the cargo?

18 A. Yes, he may well be required to have
19 knowledge of these things, to know how the vessel will
20 react when on even keel or otherwise?

21 Q. Yes, but the care taken, the storage,
22 for instance?

23 A. Yes, personally I feel you should know
24 the vessel is properly loaded. Of course, how much
25 knowledge -- perhaps storage, I have never seen a case
26 where they changed the disposition of the cargo.

27 Q. What about Morse Code and Semaphore
28 Signals?

29 A. Yes.

30 Q. Radar, what about radar?



1 FRENCH

2 A. Very much to be recommended.

3 Q. Yes, and automatic and electronic
4 soundings?

5 A. Yes.

6 Q. Stability of the vessel?

7 A. Yes.

8 Q. How to calculate the stability of a
9 vessel, do you think that is necessary for a Pilot?

10 A. Yes.

11 Q. Why?

12 A. It will give a Pilot an idea of whether
13 the vessel is in proper shape or not. Let us say it
14 may happen that if you turn too rapidly then the vessel
15 will lean over much too far, when you turn too speedily
16 then instead of turning around gently, say 80 degrees
17 the vessel is going to lean over very heavily.

18 Q. Well, has it happened to you that you
19 have been obliged to make calculations to determine
20 the centre of gravity of a vessel or to determine the
21 effects that it can be caused by change of the arrangement
22 of ballast?

23 A. No.

24 MR. LALONDE: Your lordship I think
25 my confrere is taking a rather long way in regards this
26 question of certificates. I don't know if exactly this
27 is what he is asking the witness, whether the apprentice
28 should have a certificate provided for in the examinations
29 my confrere is mentioning. Let me say that this is
30 a question one might ask a lawyer, whether it is necessary



1 FRENCH

2 to have a knowledge of the law to be a Judge.

3 MR. JACQUES: It is one of the things
4 the Commission must know, what a Pilot must know. Now,
5 of course, I know that certain certificates are re-
6 quired but it remains to be seen whether these require-
7 ments are justified or not. That is one of the areas
8 the Commission must inquire into, the knowledge necessary
9 for a Pilot.

10 THE CHAIRMAN: That is the type of
11 question that was put elsewhere. The question is allow-
12 ed.

13 THE WITNESS: Well, I think you are
14 asking about the stability of a vessel, I don't think
15 they need to calculate the centre of gravity of a
16 vessel, but to study such questions as to the effect,
17 for instance that will occur if you add on or take off
18 a certain weight in such and such a part it will affect
19 the centre of gravity. If you are going aboard a vessel
20 it will help you to ask the Captain or Master of the
21 vessel if the centre of gravity is in one direction,
22 you will know what the vessel will do. For the matter
23 of actually calculating, I don't think so, but the
24 other will help in general knowledge.

25 Q. Knowledge of stability of the vessel?

26 A. Yes, this would be necessary knowledge.

27 Q. Do you have to have knowledge of ad-
28 ministration of a Captain aboard a vessel?

29 A. Yes, generally.

30 Q. Is that so?



1 FRENCH

2 A. Yes.

3 Q. Do you give your apprentice Pilots
4 courses on use of radar?

5 A. Yes.

6 Q. This is part of the syllabus you gave us?
7 ~~Q. At~~ The courses are given at the Marine School at
8 Rimouski and the syllabus you have is the syllabus of
9 the Pilots.

10 Q. What about radar?

11 A. This comes into the syllabus of the
12 First Officer of Coastal Marine.

13 Q. In the Marine School at Rimouski?

14 A. Yes.

15 MR. JACQUES: Thank you.

16
17 RE-DIRECT EXAMINATION BY MR. LALONDE:

18 FRENCH

19 Q. At the time of your apprenticeship
20 was the pilotage section divided in three?

21 A. Not completely.

22 Q. What I mean is it depended on the
23 slowness of the vessels?

24 A. Yes.

25 MR. LALONDE: Yes.

26
27 RE-CROSS EXAMINATION BY MR. JACQUES:

28 FRENCH

29 Q. Considering that you deal with exam-
30 inations of Pilots I would like you to explain to me



1 FRENCH

2 the entry in the Minutes of the 13th of March, 1962
3 of your Corporation. It is a meeting of the Executives
4 and the notation is as follows:

5 "Proposed, seconded, that the Executive
6 suggest to the Board of Directors that
7 Mr. X and Mr. Y. should be reimbursed
8 the sum of \$100.00 in view of the ex-
9 aminations to become pilots."

10 Could you explain this?

11 A. What happened there, these two gentle-
12 men were members of the Committee of Admission and Prom-
13 otion. There were winter examinations, and if I re-
14 call correctly it was to compensate them for their
15 trouble. I think it was a month and a half. The Admin-
16 istrative Committee decided to compensate them.

17 MR. JACQUES: Thank you, that is
18 all.

19 THE CHAIRMAN: Any further questions
20 of Mr. Gagne?

21 Well, thank you Mr. Gagne.

22 MR. LALONDE: Are my confreres ready
23 to proceed with Mr. Hemond of the Corporation of Mid
24 St. Lawrence Pilots and the United Montreal Pilots?

25 I will call Mr. Lavoie.

26
27 CHARLES LAVOIE, sworn

28 THE SECRETARY: Occupation?

29 THE WITNESS: Harbour Pilot, Montreal.

30 ENGLISH



1 ENGLISH

2 DIRECT EXAMINATION BY MR. LALONDE:

3 Q. Mr. Lavoie, could you please tell the
4 Commission how old you are?

5 A. 56.

6 Q. What is your function at the present
7 time?

8 A. Montreal Harbour Pilot.

9 Q. How long have you been a pilot in
10 Montreal Harbour?

11 A. Since the end of August of 1957.

12 Q. What were you doing before that?

13 A. Well, I started to go to sea in
14 1931, coasting and the Gulf of St. Lawrence, Atlantic
15 Coast, up till 1938. In 1940, spring 1940 I joined the
16 Royal Canadian Navy and I was there until December,
17 1945.

18 Q. What kind of ships did you serve upon
19 in the Canadian Navy?

20 A. Well, I was in Harbour Defence the
21 first couple of years of the War because the Canadian
22 Navy didn't have enough ships to send everybody to sea,
23 and then I was attached to the Examination Service at
24 Shelbourne, Nova Scotia for a year and a half, and then
25 in 1944 I was convoy escort.

26 Q. What did you do after the war?

27 A. Well, beginning -- I was discharged
28 on the 19th of December, 1945 and then, the spring of
29 1946 I went up to the Lakes with the Abitibi Power and
30 Paper Corporation, stayed with a towboat there for a



1 ENGLISH

2 month or a month and a half towing a raft of pulpwood
3 from Sault Ste. Marie up to Lake Superior, pulp and
4 paper.

5 In the beginning of June, 1946, I put in
6 for the Canadian National Steamships and I stayed with
7 them until August 10th, 1957 when I came to the pilotage
8 in the harbour.

9 Q. 1957, you say?

10 A. 1957.

11 Q. Were the Canadian National Steamships
12 still having ships up to 1957?

13 A. The strike was on at that time and
14 the fleet was laid up.

15 Q. Do you hold a certificate?

16 A. Well, I started with Mate Coasting,
17 Master Home Trade, Second Mate Foreign Going, First
18 Mate Foreign Going and Master Foreign Going.

19 Q. You are a Master Foreign Going at the
20 present time?

21 A. That is right.

22 Q. How did you become a Pilot in the
23 Montreal Harbour?

24 A. Well, I put in an application. I had
25 friends in the pilotage and they told me about it. I
26 put in an application and I succeeded in getting it.

27 Q. Where did you put this application
28 to?

29 A. To the Board of Transport.

30 Q. How did they proceed to select you?



1 ENGLISH

2 Do you have any idea about that?

3 A. At that time I was at sea, so it was
4 just through correspondence. I was invited to Montreal
5 here in July of 1957, I can't remember the date, begin-
6 ing of July, anyway.

7 Q. When did you start piloting?

8 A. 10th of August.

9 Q. What kind of training did you have to
10 become a Pilot in the Montreal Harbour?

11 A. We were just a bit over a month, you
12 know, with the river pilot, moving from one wharf to
13 another, one berth to the other, the length of the
14 harbour.

15 Q. Did you have experience in Montreal
16 Harbour before?

17 A. Well, we used to make, I would say
18 roughly, with the Canadian Steamships, an average of about
19 five trips a year, five trips coming up and five trips
20 going down with different movages around the harbour
21 over from the oil docks to shed 29, to the sugar berth,
22 or sheds 12 and 14 as the case may be.

23 Q. Have you been a pilot in the Montreal
24 Harbour ever since?

25 A. Yes, I have been a pilot ever since.

26 Q. Can you tell the Commission what are
27 the limits in which you perform your duties?

28 A. Well, at the present time it is around
29 the bottom of Windmill Pointe Basin running down to
30 Section 110, Section 110 right to Point aux Trembles.



1 ENGLISH

2 Q. Would you put a green pencil line at
3 the spot, the area where you performed your duties
4 and downbound??

5 A. At the present time it would be right
6 down to this buoy right here, 156N.

7 Q. Would you make a line all across the
8 river in green on Exhibit 450. Do you also perform
9 your duties at the entrance to the Seaway?

10 A. Yes, from here right up to St. Lambert
11 Locke, only to St. Lambert Locke, as the case may be.

12 Q. Would you also put on Exhibit 540
13 the upbound limits of your District?

14 A. I wouldn't call it my District,
15 that is where we operate.

16 Q. Now would you proceed to explain to the
17 Commission the various types of duties you are called
18 upon to perform in the area you have just described?

19 Q. Well, starting from Windmill Pointe
20 Basin right here we have Sections 5, 6, 7, 8, 9, 10
21 on the west side of the Basin and 5, 6, 7, 8, 9, 10 and
22 11 on the east side of the basin. The depth of the water
23 there, when the water level is normal in Montreal
24 Harbour, is 30 feet along the west section and 29 feet
25 on the east section. Right at the extreme end, bottom
26 end of the Basin there is a sewer off there. This causes
27 very strong currents at times, and moving a ship any-
28 where over on the east side or the west side we have to
29 be every careful because you can be drawn over on one
30 side or the other and with the exception of No. 5, it



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1 ENGLISH

2 is a wooden pier, all along the west side it is concrete
3 pier, so is that sections 6, 7, 8, 9, 10 and 11 east.

4 ----



RPS 1 English

2 Well if you had a ship which is deeply
3 loaded, I will say around 28 feet or more, sometimes
4 I had one not so long ago 28-1/2 went into the eastern
5 section but that doesn't leave much water underneath
6 it and it's a very difficult job, especially if you
7 are going in there stern first even with two towboats,
8 one fore and one aft. I was going to eight east,
9 there was a ship at nine, at section nine, and there was
10 a big upper laker unloading grain at the grain berth
11 here which is at ten west. Well I only had roughly
12 I would say about possibly 80 feet in between the ships
13 and it was very difficult job there.

14 We succeeded in getting in there but when
15 the ship would take a sheer either on one side or the
16 other, the tug couldn't move her alone. I had to do
17 the handling of the ship myself. Go ahead or astern
18 on the engine and sometimes had to go up full with the
19 hard port or hard starboard, whichever side she was
20 sheering. It is no pleasure to go in there especially
21 when there are ships on both sides.

22 Well it isn't only that, I mean then you
23 may have two small lakers or one small laker, Canadian
24 lakers especially who don't like to use towboats and
25 I don't blame them. It is an extra expense, and so
26 on to go into. Well this section five or six east
27 here, or five or six west normally turn them around.
28 There is about 290 feet right across here or possibly
29 a little less, between 275 and 290 feet. Well we
30 have got to turn them around and then you still have



1 English

2 the work of pushing this ship around so it isn't a very
3 pleasant and easy job to do. Well if she can't turn
4 around there, you have to back them up if there is a
5 ship, and the captain of the vessel doesn't feel like
6 using a tug, towboat, to pull her out. Well it may
7 take you between three-quarters of an hour and an hour
8 to back the ship out there because every time you go
9 astern, you know what the ship does when you go astern
10 on your engines? She breaks to the right or she
11 breaks to the left. You have got to straighten her up
12 again, back 50 feet, stop, go ahead again and so it
13 is a very difficult place to go in there and this
14 shallow water, let us suppose you are taking a grain
15 ship from the west section, normally they are loading
16 ships there of the 28-1/2, possibly 29-feet draught.

17 If there is a ship here at section ten
18 west and a ship at section ten, eleven east, it's
19 touch and go to get them out of there. You have got
20 to use towboats and then in addition to that, here for
21 two different places along the eastern -- western
22 section. It is not the eastern, it's the western
23 section there is the two locks discharging there off
24 from the Lachine Canal. At times they open them up
25 and you get a current that pushes you over along the
26 east side and well you never know about it until you
27 are there so you have got to be on your guard there
28 at all times so you are not going to be pushed against
29 another ship if there is a ship lying along here.

30 Not only that, I remember in one case when



1 English

2 I was at sea on a ship, we were tied up at section six
3 west and there was a Saguenay Terminal ship just
4 around there, the men were working over the side there.
5 There is a sewer pipe ~~there~~ in between the ships and
6 there, and they were sucked through the outlet, the
7 baby and then a woman. They called the ambulance
8 and got them out of there. They were alive, the two
9 of them, luckily. They went into here (indicating).
10 That was one thing that I saw myself.

11 Q. Will you tell the Commission how
12 many berths and piers you have in the Harbour where
13 you can be called upon to take ships?

14 A. If I am not mistaken there is 37
15 sheds, well anyway there is a hundred and ten sections,
16 there is quite a few of them further down but you are
17 not using -- I think there is around 40 sections and
18 37, 38 sheds. I am not quite sure now.

19 Q. Now do you wish to proceed further
20 down the Harbour?

21 A. Yes. Well supposing, for instance,
22 we were called upon to bring an upper laker from St.
23 Lambert down the five miles, two and a half miles there
24 and two and a half miles there, five miles.

25 Q. Five miles to Windmill
26 Basin?

27 A. That is right. I would say right up
28 to section ten west where they unload the grain.

29 Q. How many miles are there from Windmill
30 Basin or St. Lambert Lock to the downbound end of your



1 English

2 District?

3 A. To the extreme end, if I was right
4 up to St. Therese -- not going right there. It's nine
5 miles right down to here (indicating).

6 Q. To buoy -- ?

7 A. 156M. It may be a few yards more
8 or less.

9 Q. I don't think anybody but my friend
10 the Commission Counsel will quarrel with you on this.

11 A. Well now here you are coming up.
12 What they done in order to save a few dollars, turning
13 their ship around in the way that we always turn a
14 ship down here (indicating). Down here we don't use
15 the tugs to turn the ship around. I will come to that
16 later when we get to that position but here you have
17 got to come up with 730-footers, you have 1,100 feet
18 from the corner of Bickerdike Basin. Well from here
19 to there (indicating).

20 Q. From where to where?

21 A. From shed 5 to the end of Windmill
22 Point there is 850 feet from the east end corner of
23 shed 5 to the west end corner of the Bickerdike pier.
24 There is 750 feet in here at shed 5. If there is a ship
25 there with a beam of 60-some feet, 50, 60 feet, you
26 have got that much less, so you have got to come around,
27 turn around in this Basin. Well I call it myself
28 in the flat basin right here (indicating), turn around
29 so you have about one towboat forward and one towboat
30 aft, with about 50 feet of line each, seven shed.



1 English

2 That makes a hundred and thirty feet, so it is a very
3 difficult job, especially if there are ships at shed
4 two, three and four -- three, five and shed two.

5 Though here close to the end of Windmill Point there is
6 shallow water.

7 In addition to that, at present we have
8 a derrick, a crane called the Hercules, so that narrows
9 the basin there that much more and well the day before,
10 the night before last I was called to move the big
11 upper laker. Well from the time I left St. Lambert
12 until the time I was here, I was called at 23:15,
13 11:15 at night and I didn't finish here until 4:30
14 in the morning.

15 Q. What is here?

16 A. At section 10 west. That is a
17 distance of about four miles. At 4:30 I completed
18 my work right here (indicating).

19 Q. What delayed you? What took you
20 so long?

21 A. We were delayed on the way. I had
22 to wait here (indicating) an hour, over an hour at
23 St. Lambert.

24 Q. Why did you have to wait there?

25 A. I had to wait on account of traffic.
26 The big upper laker there going up the Seaway and
27 when I got in there I was delayed at St. Lambert Lock
28 an hour and some minutes. From here to the turn of
29 the Southerland Pier, it's a good hour before you turn
30 around and then another hour from Southerland Pier,



English

an hour and a half. It took me that time from here because we had some difficulty getting alongside. The water was shallow here, around this section 10 west and we had some difficulty getting the ship alongside. Well here (indicating) your clearance here when the bow of your ship is around shed three your stern clearing the corner here by about ---

Q. Which corner?

A. The west corner of Bickerdike Pier, you clear by about 50 feet and there was a ship alongside here, to make matters worse, so I had the luck. There was no ship at shed 5 and well I was delayed there because my bow was 30 feet from the shed and the towboat couldn't swing around my bow to put me up parallel with the west section.

Q. Now if you would proceed further down the Harbour.

A. Now current around this part of the Harbour (indicating).

Q. This is what approximately? Which part?

A. I mean the Basin here, Windmill Point Basin, Basin No. 1, 2 and 3 is very much influenced by the wind and then the water level in the Harbour. Supposing, for instance, that the water level in the Harbour is about three or four inches, like we had this summer. The current is not so strong coming down the River and the undercurrent, or the ebb coming up this way (indicating) is not as strong but that



English

you never know. You get the depth of the water in the Harbour and you don't get it -- could get it if we were calling up the Pilotage Office every day, but sometimes we don't call there. We don't go there in the Pilotage Office every day. Therefore we don't know whether there is six, seven inches in the depth of water in the Harbour and while here, around this place (indicating) the current appears to be very light, but you cannot underjudge the current anyway when you are handling a ship, plus the berths because if you underestimate your current, push you broadside right on the corner of the wharf here and damage your ship very much so we always, myself and others, always respect any corner of a wharf because if I hit with my ship one of these corners, cost a few thousand dollars to repair the ship.

Anyhow, this is one of the things that you are never sure about, the current. That is one of the unknown factors that we don't know about. The known factor is the wind but you don't know, what is the wind going to do to you? In certain place, for instance here (indicating) if you get a strong westerly wind, at sheds 3 and 5, if you get a strong westerly wind you may think that the wind is going to push you right against that wharf but you must not forget that at the same time you have got a big high shed and the wind hits the shed and bounces back and that is one thing we never know. We have got to be careful every time we come to any



English

of these sheds. Sometimes the wind will hit the shed and bounce back and keep your ship away. Some other times, for an unknown reason, it will push you right against the wharf and so at these places we are always using tugs to go alongside at shed 3 and 5 or shed 2 just for safety. We don't want to damage your ship.

Here, at the end of Alexandra pier, this is another place where we tie up ships. Well it depends, like I said before, on the undercurrent that comes up this bay here. Sometimes the current goes up very strong. Some other times the current from the bottom end of the Windmill Point Basin and another current that comes through the Lachine Canal, lock 1 and 2, when they are opening the lock, you must not forget about it.

Also you see the current, instead of flowing southward may flow northward as you come around to tie up the ship to the pier with undercurrent turning around your stern, you may have some trouble and you may also damage your ship because if the current hits your ship on the port quarter, or the starboard quarter as the case may be, and your ship is going astern, you will either hit -- your stern will either hit the corner of this Alexandra pier or will hit the flat. This is another place you have got to be very careful.

Now coming down to sheds 4 and 6, it's the same thing here. There is a current. When the current



1 English

2 comes up ---

3 Q. You mean upward? ...

4 A. Upward, I mean going south. When
5 the current is in a southerly direction it may hit shed
6 6 and then bounce back, push you back towards shed
7 9 or towards No. 1 jetty right here. That is another
8 place there with a small ship, say around 300 feet,
9 350 feet. We normally go there without a tug, provided
10 that the wind lets us do so.

11 MR. LALONDE: It is past five my lord.
12 We will not finish Montreal Harbour tonight.

13 THE CHAIRMAN: So will will adjourn until
14 tomorrow morning until ten o'clock.

15
16 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

17 FRIDAY, THE 22ND DAY OF NOVEMBER,

18 1963.

19
20 * * * * *

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT
MONTREAL

P. Q.

VOLUME No.:

83

DATE:

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THE ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Old Courthouse
Building, Montreal, Quebec,
on Friday, the 22nd day of
November, 1963.

COMMISSION :

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith	Member
Harold A. Renwick	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. J. Richards	for the Canadian Merchant Service Guild
Mr. J. Brisset	for the Shipping Federation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; Corpor- ation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots.



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* * * * *



1 ---UPON COMMENCING AT 10:00 A.M.
2 November 22, 1963
3 ENGLISH

4 MR. LALONDE: My lord, my friends
5 state that they are ready to cross-examine Mr. Hemond.
6 I think we can call him now.

7 THE CHAIRMAN: Then we will proceed.
8 FRENCH

9 LUCIEN HEMOND, sworn
10 CROSS-EXAMINATION BY MR. BRISSET:

11 Q. Mr. Hemond the financial statements
12 you produced yesterday as Exhibit 785 are all financial
13 statements of the United Montreal Pilots?

14 A. Yes.

15 Q. Now the Corporation of Mid St. Lawrence
16 Pilots, do they also have financial statements prepared
17 each year by their auditors?

18 A. For those years no, because the
19 Corporation maybe had no financial transactions. They
20 were made on behalf of the other organization.

21 Q. Until the end of December, 1962, no
22 financial transactions were made by the Corporation?

23 A. Yes.

24 Q. And since 1962, since the beginning of
25 1963, what was the procedure followed?

26 A. The procedure was the Corporation of
27 the United Montreal Pilots, if I remember correctly,
28 operated until the Month of May or beginning of June.
29 After that it was transferred to a new account of the
30 Corporation.

Q. In other words, in the month of May,



1 FRENCH

2 1963, all the assets, both liquid and physical assets
3 of the United Montreal Pilots were transferred to the
4 Corporation of Mid St. Lawrence Pilots?

5 A. Yes.

6 Q. Under what proceedings or under
7 what classification was this transfer made? Did you
8 have an assembly?

9 A. It was on the recommendation of the
10 Administrative Board.

11 Q. After an assembly and resolution I
12 would imagine to that effect. Are you personally aware?

13 A. (Answer not heard by interpreter)

14 Q. Are there Minutes of this assembly
15 and those resolutions?

16 A. I would have to refer to the Minutes.

17 Q. Would you check the Minutes Book of
18 the Corporation or Society, or rather of the Administrat-
19 ive Board of the Society and produce a copy of the
20 Minutes of this assembly?

21 A. Yes.

22 Q. Could you give us Exhibit 787, the
23 Minutes? We do not yet have the date of this meeting
24 your lordship. The description of the item can be
25 completed when this information is provided.

26 Mr. Hemond, I would now like to refer you
27 to the financial state of the Society for the year
28 which ended 31st December, 1962, and I draw your
29 attention to the entries made on the second page of
30 Annex A. I note that under expenses or outgoing amounts,



1 FRENCH

2 you have a list of certain sums. For the first you have
3 outgoings for work done. Secondly for detention and
4 third for cancellation. I presume the amounts which
5 appear in regard to these items are amounts which are
6 paid directly into the pilots who have done the work
7 concerned?

8 A. Yes, less 10 per cent.

9 Q. Less 10 per cent for the pension fund?

10 A. Yes.

11 Q. Now the following terms: amounts paid
12 for Seaway Transports, would you explain to us what
13 is the meaning of this entry?

14 A. Well a Pilot receives an order to
15 go to a vessel on the Seaway. He has \$3.00 for taxi
16 expenditures. This sum is given to him.

17 Q. There is no 10 per cent. This amount
18 is given to him personally let us say from the common
19 funds?

20 A. (Interpreter did not hear answer)

21 Q. The last entry under this same item
22 for Grade A Pilots, what is involved here? Is a remun-
23 eration of \$25.00 paid to each Pilot in the Grade A?

24 A. Yes.

25 Q. Paid to each Pilot of this grade who
26 makes a trip in Grade A. Out of this remuneration less
27 I understand 10 per cent for the pension fund?

28 A. This is taken from the funds of the
29 Corporation. There is no 10 per cent there.

30 Q. So this remuneration given to the Pilot



1 FRENCH

2 of Grade A in your district, you say it is not a charge
3 made to these vessels?

4 A. No.

5 Q. And where do the funds come from which
6 serve to pay this remuneration?

7 A. Yes. (End of answer).

8 Q. What is the basis of remuneration,
9 because it is divided into three categories. One of
10 \$25.00, one of \$15.00, and one of \$10.00?

11 A. Yes.

12 Q. Where do you get the \$25.00, \$15.00
13 and \$10.00?

14 A. Well the \$25.00 is for a trip Quebec
15 to Three Rivers or Three Rivers to Montreal, \$25.00
16 each. Each section and the amount of \$20.00 is ---

17 Q. Well the category following is \$20.00?

18 A. Yes. Where you have a vessel goes
19 without a pilot Three Rivers, for instance.

20 Q. And now how do you get the \$15.00?

21 A. Well \$15.00 is for a trip from Three
22 Rivers to Lanoraie, or Lanoraie to Montreal or Montreal
23 to Sorel. This applies for each of those cases or where
24 you have a stop at Three Rivers and Quebec. You may have
25 a good amount of mileage, and so on, and this is how
26 you get this amount.

27 Q. Now who fixes the amounts of remuneration?
28 Is it done by the D.O.T. or is it done by the Corporation
29 itself?

30 A. The Corporation itself.



1 FRENCH

2 Q. I imagine that following an assembly?

3 A. It was included in the Rules and Reg-
4 ulations.

5 Q. It was included in the By-laws or
6 the Rules and Regulations?

7 A. Yes.

8 Q. Now I am going to go on to another
9 entry also under the item of expenditures which reads
10 as follows: Health Service of Quebec \$3,100.50. Would
11 you please explain to me what this is about?

12 A. This is a sum which was in a reserve
13 account to pay the insurance premium that had been taken
14 from each member who belonged to the insurance. It is
15 taken from the distribution and when the time of payment
16 comes due, then it is paid. That was for the insurance
17 premium.

18 Q. What insurance is this?

19 A. The sickness insurance.

20 Q. Is this service like, say, the Blue
21 Cross?

22 A. Yes.

23 Q. And all the Pilots of the District
24 are covered by this service?

25 A. Not at that time.

26 Q. Not at that time?

27 A. No.

28 Q. Since when then?

29 A. Well to-day we have got a different
30 company and all the members accepted, belong to that



1 FRENCH

2 company.

3 Q. This is paid by the Corporation, the
4 premium?

5 A. Yes. It was at that time paid by each
6 individual.

7 Q. And the premium paid by the Corporation,
8 is it true to say that it is \$3,100.50 per year now?

9 A. No, it is more expensive.

10 Q. It is more expensive?

11 A. It varies according to whether you are
12 a bachelor or a married man. It is a sum varying from
13 \$2,500.00 to \$2,600.00 say.

14 Q. This premium is paid by the Corporation
15 itself for the account of each of its members?

16 A. Yes.

17 Q. Does each member subsequently have
18 to pay the Corporation for the amount of the premium
19 that he himself, in view of his family circumstances,
20 has to pay?

21 A. No.

22 Q. I draw your attention now to another
23 item, still under the item of expenditures, expenditures
24 of administrators and committees. In the case of
25 expenditures, what are the justifying items?

26 A. Well each one here signed a receipt
27 for expenditures.

28 Q. You keep this on record?

29 A. Yes.

30 Q. In the case of accounts of committees



1 FRENCH

2 what is involved in this case particularly?

3 A. Well expenditures for trips and expen-
4 ditures for amounts involved in this connection.

5 -----



1 French

2 THE WITNESS: I think the microphone is
3 too high.

4 THE INTERPRETER: Mr. Jacques is not
5 speaking into the microphone.

6 MR. BRISSET: Q. Now, I would like to ask
7 you to explain what were the expenditures of the
8 Committees, particularly am I to understand expenditures
9 of Committees as referring to expenditures of other
10 persons than administrative personnel?

11 A. Yes, in the various Committees you
12 have members who have certain duties and you have
13 expenditures brought about for the meetings of these
14 assemblies and so on.

15 Q. So this item then is covered by
16 general expenditures, that is of administrators?

17 A. Yes.

18 Q. This also covers the expenditures
19 brought about by meetings?

20 A. Yes.

21 Q. We take the next item, amounts for
22 attorneys, economists and auditors. In the framework
23 of these fees for the auditors, for example, do you
24 have an account submitted directly to the Corporation
25 or Society or is there an account, general account
26 which subsequently is shared among the five Corporations
27 which form part of the Federation?

28 A. No, these are paid by the Corporation.
29 These are services referring to the Corporation.

30 Q. The Corporation itself?



1 French

2 A. Yes.

3 Q. So it is not a contribution, an
4 account which has been submitted to the Federation?

5 A. No.

6 Q. During the financial year 1962, of
7 course, the Corporation paid attorneys and auditors,
8 but I also see you had the services of an economist?

9 A. Yes, two in fact.

10 Q. Two?

11 A. Yes.

12 Q. With no relationship to the preparation
13 of the work involved for the negotiations which took
14 place during 1962 between the Department and the
15 Corporation?

16 A. Well, the economists deal solely with
17 the pension fund, the administration, that is to say
18 they give us advice on the pension fund for the
19 investments.

20 Q. The Corporation has two economists,
21 one to advise in matters regarding investments for the
22 pension fund and the others to advise in other aspects?

23 A. Well, there is only one at the moment.

24 Q. This is for the pension fund. Now,
25 reading for the year that ended, December 31st,
26 1961 I note we have expenditures, fees, accountants,
27 lawyers, auditors, so for that financial year you also
28 had the services of an economist?

29 A. Yes.

30 Q. Now, I come back to one final item



1 French

2 again under expenditures, payment to the Canadian
3 Merchant Service Guild and the Federation of Pilots
4 of the St. Lawrence, \$36,000, the exact amount is
5 \$36,925. Could you tell us, and just dealing with
6 1962, how this sum is shared between the two bodies
7 which are mentioned in the financial statements?

8 A. I could give you the precise figures
9 if you wanted them. From my memory I think that the
10 amount paid to the Federation was \$125 per member
11 and to the Guild it was \$45, and I think the Feder-
12 ation asked for a supplement at the end of the year.
13 This could be checked in the books.

14 Q. Do you have the books here or in the
15 office?

16 A. In the office.

17 Q. Well, to the best of your recollection
18 in the financial year 1962 you had two amounts imposed
19 by the Federation?

20 A. Yes.

21 Q. And these fees paid were imposed
22 on each member of the society?

23 A. Yes.

24 Q. The common fund.

25 A. Yes.

26 Q. The Canadian Merchant Service Guild,
27 there is just one contribution paid?

28 A. I think so.

29 Q. For the . . .

30 A. The common fund.



1 French

2 Q. This was imposed for each individual
3 member.

4 MR. JACQUES: If it would please the
5 Commission I would like to consult the balance sheet
6 before going on with my cross-examination. I would
7 like possibly to cross-examination Mr. Hemond later on.

8 THE CHAIRMAN: Well, if you deem it
9 necessary to have the witness come back later on, fine.
10 If I understand properly he is supposed to leave today.
11 We are going to free the witness right now and we
12 are going to consult with Mr. Lalonde in order to find
13 out at what date and what time he will be available
14 later on.

15
16 RE-DIRECT EXAMINATION BY MR. LALONDE:

17
18 Q. Mr. Hemond, to your knowledge was
19 there ever any strike fund in the Society or Corporation?

20 A. No.

21 Q. Were there any stoppages of work
22 previous to the establishment of the Corporation in
23 your District?

24 A. Yes.

25 Q. Do you remember approximately in
26 what year?

27 A. In 1951, I think.

28 Q. Thank you -- I am sorry, my colleague,
29 Mr. Brisset, asked what were the number of turns
30 allocated to the Administrators of the Board of Directors



1 French

2 for the years 1961 and 1962. An exhibit number has
3 been reserved which was 782. Could you please tell
4 me if this document has been prepared by yourself?

5 A. It has been prepared by my assistant
6 yesterday.

7 Q. Where did you get that information?

8 A. Well, it found itself sort of in the
9 correspondence exchanged between the Corporation and
10 the D.O.T. as to establishing turns and to establishing
11 the assignment list.

12 MR. LALONDE: My lord, I would like to file
13 this document under the exhibit that has been reserved
14 for it. Thank you Mr. Hemond.

15 THE CHAIRMAN: Any other questions to be
16 put to Mr. Hemond? Such is not the case. Thank you.

17 THE WITNESS: Thank you.

18 MR. LALONDE: Mr. Lavoie, please.

19
20 CHARLES LAVOIE, Re-sworn.

21
22 DIRECT EXAMINATION BY MR. LALONDE:

23 Q. My Lavoie, yesterday afternoon you
24 started to explain to explain to the Commission the
25 main characteristics of navigation within the Montreal
26 Harbour. Could you go on explaining briefly?

27 A. Well, yesterday afternoon we were
28 up to No. 1 in the Basin, No. 1 jetty which is built
29 off No. 1 elevator and sheds 4 and 6, 7 and 9.

30 THE CHAIRMAN: Excuse me, you said No. 1



1 English

2 basin?

3 THE WITNESS: No. 1 basin.

4 THE CHAIRMAN: Are the basins numbered
5 in Montreal Harbour?

6 THE WITNESS: Yes, there is a No. 1 basin
7 here.

8 THE CHAIRMAN: How many are there altogether?

9 THE WITNESS: There are three basins which
10 are numbered there.

11 MR. LALONDE: Q. Will you put the number
12 on the chart or circle it in blue?

13 A. Well, the current in No. 1 basin
14 is negligible providing you are inside eddy of Alexander
15 and King Edward Pier. Outside of that from the
16 end of these piers to buoys No. 207N and 205N, well,
17 the current there is variable like I said yesterday.
18 It is influenced by the wind.

19 In basin No. 2 which includes shed 8 and
20 shed 10, 11, 12 and 14, the current there is about
21 similar to No. 1 basin provided that you are inside
22 of King Edward pier and Jacques Cartier pier. Outside
23 of that, well, there is a current in a southerly
24 direction, a sort of eddying current. Then you get
25 down to basin No. 3 which includes shed 13, 15 --
26 No. 2 jetty and sheds 15 and 16. Well, I would like
27 to go back to basin No. 2. I missed shed No. 11 which
28 is across the bottom of the basin. Well, in No. 2
29 basin there is more current there. The current comes
30 downriver in between Mackie Pier Shoal here (indicating)



1 English

2 and St. Helene Island, curves to the left after it
3 passes buoy 205, curves to the left to make sort of
4 a circle, like this (indicating). When the water is
5 low in the Harbour the current is stronger than when
6 the water is high for the simple reason that when the
7 water is low there is less water flowing over the
8 shallow part of the shoal here in between buoy 199
9 and St. Helene Island.

10 Consequently when the water is high in
11 the spring of the year the current is a little bit
12 less, it appears to be a little bit less anyhow. Here
13 in No. 2 basin the current sets you on shed 15 as
14 you are coming in and sets this way, sets on shed 15
15 after you are in a certain length, certain ways in.
16 Then it sets to the north against No. 2 jetty which
17 is the grain elevator jetty. Then you move up to
18 shed 15 and shed 16, well, the current passing the
19 cribs, in between cribs of No. 2 jetty that hit shed
20 15, bounce off between the cribs of No. 2 jetty
21 penetrating between those cribs there and setting you
22 on shed 16 -- shed 17, rather, on shed 17. Well,
23 there is a place there you must be careful when you
24 go alongside there. Then you come along to shed 18
25 and 19, well the current there sets you in a southerly
26 direction.

27 Q. Would you indicate it in red on
28 the chart, Exhibit 451?

29 A. Setting in that direction right there,
30 it is sort of a heavy current, comes down, turns



English

around, because after Windmill Shoal or this point here.

Q. This point here is -- ?

A. Is buoy No. 105 -- you see when it comes past there it comes wider, therefore it circles like this (indicating).

Q. You indicate in red on the chart?

A. Here at sheds 18 and 19 -- they are two bad places to go. It is advisable when going there always to use an anchor so you wouldn't hit the wharf. Then when you come up to Market Basin -- here there is a current, this is a rough current, the current comes like this here (indicating), in this direction. There is a separation in the current, you know. There is a current that comes down this way and another that makes a little curve like this.

Q. Would you indicate the trends of the two currents in red?

A. It comes above, as far as here on shed 25 right here the current above here, here to there, it splits.

Q. As indicated on the chart in red.

A. The current comes down this way here (indicating). On the other hand on this side here it may go up the other way.

Q. Yes?

A. When you are at shed 25, the Market Basin, that is where the currents. . .

Q. There again it is indicated by a red arrow on chart 451.

A. It sets right on this corner right here.



1 English

2 Q. Which corner?

3 A. Victoria Pier, that would be the
4 north or northwest corner of Victoria Pier it sets
5 on. All along here this current goes up and circles
6 right through Victoria Basin.

7 Q. Yes.

8 A. Here at shed 25 the current sets,
9 I mean that is the general way of the current
10 (indicating).

11 Q. You are referring to the big red
12 arrow put on the chart 451 by the previous witness,
13 Captain Arcand?

14 A. Here when the current hits these
15 walls, these concrete walls.

16 Q. Yes.

17 A. From shed 25, 26, section 26, 27,
18 shed 28, 29 right down to Laurier Pier the current
19 goes this way, parallel with the wharf in certain
20 places, right here, parallel with the wharf right down
21 to the knuckle of shed 27, of this pier here. Wherever
22 there is a knuckle it makes a heading, the current
23 turns around and makes a heading.

24 Q. Yes?

25 A. Here there is a strong current,
26 very strong current between 5 and 6 knots along here.

27 Q. Along which?

28 A. Along this west side of the Harbour.

29 Q. Yes?

30 A. From shed 25 right down to, not as



English

far down as Laurier pier, but I would say down to shed 29, 30 -- 29, not 30.

Q. Up to shed 29, yes.

A. Up to the lower end of shed 29 -- up to the lower end of section 30. It is not used, that section isn't used. Then there is a curving current here at shed 28. It is a very difficult place to make especially with a small ship if you are not careful. That current is going down in a northerly direction and you will find the current at the same section is in the opposite direction, a southerly direction. That is the way it is here at shed 28.

Atashed 29 you have the current going down this way
(indicating). Down further, ~~later~~ come off Hatteras
St. Helene Island has been increased in size for the
World Fair.

Q. Would you approximately show in blue on chart 451 the approximate increase in size of St. Helene Island?

A. Here is Notre Dame, what they call Notre Dame Island.

Q. Yes?

A. Roughly like this.

Q. Also indicated in blue on chart 451.

A. We have a small channel passing between St. Helene Island and Moffatt Island with a shoal. Well now this is sort of a fall right here, the ground is higher here than there (indicating).

Q. Here you are referring to what?



English

A. This basin right here on the south side of St. Helene Island and Moffatt Island, the ground is higher than it is below St. Helene Island consequently in order to dry out this part so that they can work and make an embankment around and work there, they just sort of put a dyke right across here.

Q. Between Moffatt Island. . .

A. And St. Helene Island.

Q. . . . and St. Helene Island.

A. As you can see on this chart on the south side of Helene Island you have current varying from seven to eight knots. You have a certain amount of water passing through here (indicating).

Q. Between St. Helene's . . .

A. Between St. Helene's Island and Moffatt Island. Anyhow there is no more, so the water coming down the River is passed through between St. Helene Island and this shoal here at Mackie, you have more strong currents. Coming up Harbour with a large ship you have to be very careful. A couple of days ago I was coming up on the WHITEFISH, a 730-foot ship, I was going to tell you, I kept to the end of the channel as much as I could close to the buoys and my stern was pushed up just about Clock Tower so I altered course -- what happened, you get the current pushing your stern this way.

Q. This way is what?

A. Pushing the stern to the Clock Tower and heavy pushing your bow towards buoy 203. Consequently



1 English

2 what you should do is to come up as far to the eastern
3 part of the channel as you can and make sure you are
4 going to clear this Clock Tower or Victoria Tower,
5 alter course and keep clear. I keep speed up, half-speed
6 to buoy 203 and when I am sure that the stern is
7 clear of Clock Tower we reduce speed and alter course.
8 By the time you get about 150 feet from a shed like shed
9 ~~180 ft.~~ is a very bad place and it is not going to
10 change there because it will take quite some time
11 before it is done. This is one of the disadvantages
12 of the place.

13 Coming down this way at buoy 195, between
14 buoy 195 and buoy 193 there is a spar buoy, black
15 spar buoy. There is no number on it.

16 Q. Is it indicated on the chart?

17 A. It is on the chart, just a black
18 spar buoy right here.

19 Q. Would you circle that in blue please
20 on Exhibit 451?

21 A. I used to turn ships around there, turn
22 ~~ships there between shed 29 to shed 41, 42 and~~
23 Laurier pier coming up, turning them around. Now
24 with this increase of water coming down in between
25 St. Helene Island and the Harbour side, this side of
26 the Harbour (indicating), west side of the Harbour,
27 I mean at the present time it is a chance to take
28 because the current instead of making a heading --
29 before it used to make -- with the water coming down
30 -- here there is a wider area so the current was coming



1 English

2 this way (indicating).

3 Q. As indicated in small red arrows.

4 A. Now the current appears to be going
5 straight down. It is not making an eddying any more
6 or if it is making one it is a very small one. One
7 should get a survey on the current around this part
8 of the Island of Montreal in order to know exactly
9 what is going on around this corner. Now, any ships
10 turning in here must be very careful in the way in
11 which they turn. It is taking a chance if it is a
12 large ship in here.

13 Q. When you say in here -- ?

14 A. At the circle, black spar buoy,
15 in the knuckle, like shed 32, shed 33, shed 34 -- all
16 this corner, there is a counter-current.

17 Q. You have indicated that in small
18 red arrows.

19 A. It is a ~~current~~, that shades the
20 knuckle of each of these places, just about at 25 feet
21 from each knuckle -- now you are coming down to section
22 36 which is here, you have got a heading right here,
23 all along here, current running this way.

24 Q. As indicated in small red arrows.

25 A. In shed 39, well you have a very
26 small current, very small current, but it is the other
27 way around. It is the other way around, this way,
28 coming down.

29 Q. Coming down, yes.

30 A. 41 is about the same as 39. Here



1 English

2 at 40 you see there is a sewer out and right in between
3 shed 42 and section 43 right here. You know there
4 is a heading, the current circles right here, makes
5 sort of a circle along Laurier pier the current goes
6 down this way, very strong current.

7 Q. Also indicated with small red arrows.

8 A. At the present time with this change
9 round St. Helene and Moffatt Island the current which
10 used to be very light to buoy 193, well now it is
11 quite a bit stronger. We used to turn a ship here
12 around 300, 400 feet without using an anchor and
13 now you can't do it without an anchor on account of
14 the current. Here, all this seems to be forming an
15 eddy, water comes down pushing water up the entrance
16 of the St. Lawrence Seaway.



1 ENGLISH

2 Q. Well now we are at Laurier Pier.

3 A. Coming below Laurier Pier, around this--
4 in between Laurier Pier and Tar Pier, now there is also
5 a heading which is marked on the chart here. Now there
6 is a heading which is exact, which may be stronger
7 now with the change of the current around this part of
8 the harbour; at shed 35 it is a very difficult place
9 to go to.

10 Q. Why?

11 A. It is a difficult place because the
12 current here sets down and it turns around this way
13 (indicating).

14 Q. As indicated on the chart?

15 A. On the chart.

16 Q. In red?

17 A. 44 is the same; pretty difficult place
18 to go to and shed 45, if you are not careful you find
19 yourself, instead of being parallel for shed 45, find
20 yourself heading straight, heading at shed 45. I seen
21 that done.

22 Q. Because of the current?

23 A. Because of the current. Now at Tar
24 Pier here, that is at 44 north, this shed here that is
25 a grain unloading berth.

26 Q. Indicated in red as 44N?

27 A. Yes. And, therefore, when you go in
28 with -- we normally take upper lakers there, along
29 730 feet or less, depends on your current, this is right
30 on the corner of the wharf in this direction (indicating).



1 ENGLISH

2 And, here by the Sutherland Pier you have got the current
3 going down the other way. This way (indicating).

4 Q. That is down?

5 A. Down river in a northerly direction.

6 Well here (indicating) coming in here with a big ship,
7 you have got your bow heading and stern -- got a strong
8 heading flowing northward -- got to be very careful
9 otherwise hit this pier here (indicating). Passing this
10 Sutherland Pier we come to Section 48, Section 47 is
11 here but we call it 48.

12 Q. Would you put 48 in red on the chart
13 451. Yes?

14 A. Here, right in this place here
15 (indicating) the current is split. I don't know whether
16 I should put it in red or not.

17 Q. If you are indicating current, put
18 it in red?

19 A You see it goes -- the current splits
20 about like this (indicating) right down to the upper
21 end, the south end of the No. 4 elevator. You see the
22 current there, outside it's flowing northward, here it
23 is flowing northward and inside of that it is flowing
24 southward. Makes a heading right there (indicating).
25 Well these places, they are not too bad. And then we
26 come down to No. 4 elevator. Well here very close to
27 your No. 4 elevator the current goes down parallel with
28 the wharf, goes down river. It is not a very strong
29 current. It is weaker as it is outside coming down
30 from the Seaway. With a big upper laker, if you have a



1 ENGLISH

2 730 foot laker, took her down here (indicating) and took
3 her around to starboard, it's quite all right, I mean
4 in the Turning Basin of Canadian Vickers . If this
5 Basin has 5000 feet long by 700 feet wide.

6 Q. Is this the place where you usually
7 turn around with your lakers?

8 A. No. We turn them around here (indicat-
9 ing) right below Sutherland Pier, turn them on the port
10 helm, which doesn't seem to be according to the rules,
11 but that is the way they turn better, for the simple
12 reason when you come around here (indicating) there
13 are 1300 feet in between the end of Sutherland Pier and
14 the extreme east side of the channel and there are 1500
15 or 1600 feet from Section 48 up to buoy 187 $\frac{1}{2}$.

16 Therefore you have the bow of your ship
17 right inside in the counter-current and the stern of your
18 ship in the stern river current flowing down the river
19 and the ship is a lot better, let go an anchor, ease
20 her in. If you go down this way (indicating) and turn
21 your ship around in this basin -- Vickers.

22 Q. That is the Canadian Vickers Basin?

23 A. The Canadian Vickers Basin, what is
24 going to happen there is that there is a weak current
25 passing along the wharf at No. 4 elevator. It is a weak-
26 er current there than outside. If you let go your anchor,
27 you get a strong push here (indicating).

28 Q. Strong push --?

29 A. On your starboard bow and you have
30 all kinds of trouble. Got less trouble anyway to turn



1 ENGLISH

2 your ship around and then when you go in this direction
3 heading southerly, south-east direction, then you start
4 drifting to the south -- to the east and it is dangerous.
5 You may find yourself high and dry. The extreme east
6 end of the anchorage.

7 Well from here, from the north end of the No.
8 4 elevator I will say this buoy here, buoy 178 -- it isn't
9 there anymore.

10 Q. Would you indicate it with the
11 letter A in blue? You say it is not at that place any-
12 more. Would you indicate on Chart 451? Since when
13 has it been moved?

14 A. This is dredged since last spring.
15 It was moved last spring, opening of the navigation
16 season.

17 Q. Do you know whether there has been
18 any amendment to the chart?

19 A. I don't think there was anything issued,
20 any notice. There might be some notice to Mariners
21 but I haven't seen them anyway. So that buoy isn't
22 there, 178 isn't there. Same for 181. 181 is moved
23 over here (indicating).

24 Q. Would you indicate in blue on the
25 chart with the letter B. Would you know approximately
26 at what time this year this change had been made?

27 A. This spring.

28 Q. Which month?

29 A. When we started, must have been around
30 the middle of May I think.



1 ENGLISH

2 Q. Middle of May?

3 A. I wouldn't be too sure but I will say
4 approximately around the middle of May. Same with this
5 buoy 179. 179 isn't there any more. It's moved here.
6 (indicating).

7 Q. Indicate in blue on the chart with
8 the letter C.

9 A. Well if we are going down the channel
10 proper --

11 THE CHAIRMAN: And 182, is it still
12 there?

13 THE WITNESS: Yes, 179.

14 MR. LALONDE: What about 182?

15 THE CHAIRMAN: The one at the tip?

16 THE WITNESS: It doesn't exist.

17 THE CHAIRMAN: It doesn't exist any
18 more?

19 THE WITNESS: I don't think so.

20 THE CHAIRMAN: All of that tip of the
21 channel has been dredged out?

22 THE WITNESS: Yes sir. You see it has
23 all been dredged.

24 Q. Since when has it been dredged?

25 A. In the middle of last spring.

26 Q. It was not there last spring? Was it
27 there last year?

28 A. Last year, yes. It was there last
29 year; not there this year.

30 Q. Would you also point out buoy 182?



1 ENGLISH

2 MR. JACQUES: My lord, this is another
3 instance where we have charts corrected or supposedly
4 corrected up to the 22nd of May, 1963.

5 THE CHAIRMAN: Yes, we have noticed
6 that.

7 A. Generally speaking in that channel,
8 what we call the Racine Channel, well you see there is
9 a buoy 173 and another one 175R and another 177. Well
10 those three buoys are not there any more.

11 Q. Would you please cross them out in blue?

12 A. Now then buoy 173 appears to be some-
13 where around here I would say (indicating).

14 Q. Indicate in blue on the chart with the
15 letter D.

16 A. And then here, this is buoy 175, it's
17 right here, it's a spar buoy.

18 Q. Indicate in blue on the chart with the
19 letter E. And what about Buoy 177? Has it been moved
20 anywhere?

21 A. There is another spar buoy some place
22 here (indicating). I don't know exactly the exact
23 position. It is possible it would be just around here,
24 175R; maybe somewhere along the line here but I know
25 that there is a spar buoy but I couldn't locate there
26 just exactly the position but this is roughly what it
27 is -- it isn't only roughly. That is what it is.

28 Q. Is buoy 174 still at the place where it
29 is indicated on the chart?

30 A. 174 is there. That is correct.



1 ENGLISH

2 Q. Since when have these buoys been
3 moved?

4 A. All the same time.

5 Q. All at the same time?

6 A. Last spring. Now that is what is
7 remaining of the Poulrier Lalonde Pointe.

8 Q. Yes, would you proceed?

9 A. Now as I stated before, I had to remove
10 these buoys in order to show what the current is going
11 around here (indicating).

12 Q. Would you indicate in red?

13 A. From the north-east end of the No. 4
14 elevator, also right down to the middle of the shed
15 65. Outside of that line the current is flowing down.

16 Q. Now also indicate in red on the chart.

17 A. And on the east side of that, the
18 current is flowing, is making a sort of heading like
19 this (indicating); not very strong but a decent current.
20 Here at Racine Wharf, there is a stronger heading there
21 along Section 67 and 68, which is here (indicating)
22 the current goes down this way, around that particular
23 place. You got two types of current there. You got
24 a surface current and an underneath current on account
25 of the water flowing over the Poulrier Lalonde Pointe
26 Shoal.

27 Then of course it has a weaker current on
28 top. A much stronger current underneath.

29 You will notice it if you pass there
30 with a deeply loaded ship. If it's a light ship, you



1 ENGLISH

2 will feel only the upper current, top part.

3 Then coming down to Vulcan Wharf, what we
4 call Section 71 --

5 Q. Is it indicated on the chart?

6 A. Well as you can see here, this is
7 Section 68.

8 Q. Indicate in blue on Chart Exhibit 451.

9 A. Well from here, ever since this new
10 wharf has been built, the current now -- before it used
11 to be a northerly direction. Now it has changed not
12 very far from the wharf mind you but I will say about
13 75 feet from the east side of Vulcan Wharf, 75 feet
14 out you will get a southerly direction current and out-
15 side of that 75 feet you will get a normal river down-
16 bound current.

17 THE CHAIRMAN: I see that they have
18 made a lot of digging, dredging in the Racine Channel
19 and that filled up the banks of the north side?

20 THE WITNESS: That is right. That is
21 what they used to fill the Section 67 and 68.

22 THE CHAIRMAN: And has it improved the
23 currents and the conditions of navigation there with
24 all those works?

25 THE WITNESS: Oh yes. Well it has
26 simplified the work quite a bit.

27 THE CHAIRMAN: But it has improved
28 the conditions of navigation?

29 THE WITNESS: Yes. Well we are
30 coming down in the river, as you know here at this



1 ENGLISH

2 Maisonneuve-Longue Point Course the current goes down
3 this way; (indicating) river current flowing down like
4 Mr. Arcand marked it down, then, coming to Longue Pointe.
5 Well I think we might just as well use the other chart.

6 Q. We will change to Chart Exhibit 450.

7 A. Now a ship coming down to anchor
8 here, at anchorage No. 1, 2 or 3, the best way to turn
9 around the ship there, if the condition of the traffic
10 permits turning on the port wheel because all along the
11 anchorage this way (indicating) you will notice that
12 the current is much weaker than it is along the east
13 side of the channel.

14 THE CHAIRMAN: You mentioned anchorage,
15 I don't see anything on the map. Is there any indication
16 on the map?

17 Q. Would you number in green on the chart
18 the numbers which you referred to?

19 A. See the arrow there (indicating).

20 Q. Would you indicate what you called
21 anchorage No. 1, 2 and 3? Would you number these anchor-
22 ages?

23 A. Here, that is anchorage No. 1 (indicating).

24 Q. How do you --

25 A. You see it is marked R.G.E. 1, R.G.E.
26 3, R.G.E.2, R.G.E. 4, R.G.E.5.

27 Q. Right across the dotted lines?

28 A. We recognize them by a small beacon
29 there, ranges you call them. There is two of them.
30 You can see them in line and they are both marked



1 ENGLISH

2 either 1, 2, 3 or 4. Depends.

3 Q. You started to indicate something
4 about currents at the anchorage? Would you indicate
5 currents in red if you are working with currents?

6 A. The current is absolutely the same as
7 the other Pilot marked it down, Mr. Arcand marked it
8 down, with the exception that along it seems to be --

9 Q. Along what?

10 A. Along the west side of the harbour
11 it seems to be running east at times very close to the
12 shore. Seems to be running in a southerly direction.
13 Appears to be anyway. The best way to turn a ship here,
14 that is what we experience ourselves, is to turn a ship
15 to port, swings better and come around to port very slow
16 speed with your port anchor. Play out about three
17 shackles of chain and then your ship comes around and
18 you can bring her close to the shore in the exact
19 position that you should be anchored. Let go your
20 starboard anchor with two shackles of chain on it and
21 then you have got a good anchorage, but these anchorages
22 are all good providing that the ship has a decent draught,
23 but if it is a light ship, they are not so -- as soon
24 as the wind either from east or the west comes along,
25 well the ship heads towards the wind. If you have got
26 a strong easterly wind on your anchor, you are a little
27 bit too close to the shore. Your stern may come a
28 little bit closer than you like. You can turn around
29 to port here (indicating) from buoy 174 to buoy 167
30 but below that it isn't advisable because from there down



1 ENGLISH

2 the current changes. You get a strong current on the
3 west side of the channel and the current is a little
4 weaker on the east side.

5 Q. Are they the same direction?

6 A. Yes, same direction. It's all river
7 current going down.

8 Q. Yes?

9 A. Now we are coming to the oil wharf,
10 British Petroleum Wharf. The British Petroleum Wharf,
11 as you can see here, there is a shoal right in front
12 of it pretty near along that wharf; makes a sort of
13 heading. You go alongside that wharf thinking that
14 you will be heading to the current but close to the
15 wharf you are not heading to the current. You have got
16 a current that pushes you in a southerly direction.
17 I will say about, between 50 and 75 feet outside, on
18 the east side of the B.P. Wharf then starting to get
19 a good river downbound current. Well they are not too
20 difficult places, wharfs to make, any one of them
21 because pretty near heading to the current all these
22 wharves from Texaco to the Imperial Oil because here
23 now these wharves are altogether. You have Imperial Oil
24 and Texaco, the wharf continues.

25 Q. As indicated in blue on the chart
26 by yourself. When was this wharf completed?

27 A. About a couple of years ago I should
28 say so. Here, as was mentioned before, we have got
29 the private anchorages on account of pipeline, big
30 pipeline, it's half and half if we do get a ship in the



1
2 centre of the Seaway down... will dock and turn around,
3 They are not always small ships. The majority of times
4 big ships with a deep 25 feet and tankers been loading
5 grain up on the Lakes, coming down. We have got to
6 turn them around before we can go alongside so here
7 we have 1300 feet right across the end of Imperial Oil
8 to buoy 161. We have got to go below inbetween the two
9 private anchorage areas, which doesn't give too much
10 room for us to turn around and on account of this shallow
11 water it is not pleasant to take a big ship down there
12 and turn around. We had the 730 foot going down there
13 once. It was not too pleasant a job. Only be if you
14 have fore and aft nearing the wharf without ships along-
15 side; but not always clear. Ships most of the time
16 there. And we also go on the east side of the Imperial
17 Oil Wharf, Section 101. Here the current --

18 Q. That is from the end --

19 A. The north end of the Imperial Oil
20 Wharf it makes a heading like this (indicating).

21 Q. As indicated in red on the chart. Yes.

22 A. Yes, so it is not too good a place to
23 go, and you have got to be careful. If you know about
24 it, it is easy. If you don't, it is too bad. Outside
25 of the Imperial Oil Wharf the current flows down in
26 that direction (indicating). Then you are coming to
27 Shell Oil Wharf, Section 103 south. Well any pilot
28 will tell you it is not a very good place to go to
29 because you have got the current that comes down,
30 hits the wharf and bounces back. This is all right -- and



1 ENGLISH

2 when you are outside of the east end of the wharf, got
3 this river current going down. You could easily damage
4 a ship right here if you are not careful.

5 Then you go to the inside of the Shell
6 Oil Wharf, which is 103 north, which is the inside of
7 the Shell Oil Wharf. Well there you got a heading
8 too -- current coming this direction --

9 Q. Indicate in red on the chart.

10 A. And you got the Sun Oil Wharf, which
11 is marked Sun Oil Wharf. That is section 104, Sun Oil
12 Wharf. That is another place where you put ships along-
13 side. There was one time the river pilot used to put
14 bulk tankers there but I haven't seen any recently.
15 I mean all the ships coming up the river, they are
16 all put alongside there, the majority of times by
17 the river pilot. Only touches them when they move from
18 there up to the anchorage and from there up to the
19 harbour, some other place. All the lakers coming up
20 to discharge their cargo, any of the oil wharfs; it's
21 only on rare occasions that we touch them except when
22 they put them at the anchorage.

23 Q. Up to the anchorage at Longue Pointe?

24 A. At Longue Pointe. There if they put
25 them there, we drop them back down to the oil wharves.

26 Q. Is there anything else, as far as
27 docking ships below the oil dock is concerned?

28 A. There is British American Oil Dock,
29 which is another -- taking freighters there too. There
30 is only 1200 feet across, the channel is just 1200 feet



1 ENGLISH

2 wide and then Fina Wharf, British American Oil Wharf
3 is one of six and Fina Wharf is 110.

4 Q. Which appears on the chart as Montreal
5 East Wharf?

6 A. Yes.

7 Q. Is there anything you would like to
8 add as to the specifications of the harbour, currents in
9 the entrance to the St. Lawrence Seaway, or are your
10 remarks completed in that respect?

11 A. Well what I would like to mention is
12 this: that we are not allowed to move a ship within the
13 harbour limits in Montreal without special permission
14 from the Harbour Master and that permission is only given
15 for 15 minutes. The ship is capable of moving within
16 15 minutes, otherwise we lose our turn and got to wait.
17 And then entering the St. Lawrence Seaway, this is outside
18 of the harbour limits, we have to have permission from
19 the St. Lawrence Seaway Authority.

20 Q. How do you proceed about asking them
21 for permission? Suppose you are leaving shed No. 2 --
22 Jetty No. 2 and you want to go to the St. Lawrence
23 Seaway, how do you proceed?

24 A. What we are going to do is this: we
25 request permission of the Harbour Master by radio-teleph-
26 one, all ships equipped with radio-telephone -- or should
27 be equipped with radio-telephone. It is compulsory,
28 anyway to go up the St. Lawrence Seaway. We request
29 permission, give our draught and whether we are ready
30 or not -- we got to be ready anyway. The Montreal



1 ENGLISH

2 Harbour Master's office call up the Seaway Authority,
3 get permission for the ship to proceed up but this is
4 not sufficient. Before you anchor in the Seaway, which is
5 marked in red on No. 2 at the entrance of the Seaway,
6 this is the Seaway Approach, then again you call the
7 V.D.X. 20 Beauharnois and then you got the final permission
8 to proceed up, if the St. Lawrence Dock is ready to
9 take a ship.

10 Q. That is traffic control marked by
11 the circle No. 2 with 2 arrows.

12 A. No. 2, that is right. And then we
13 got orders what to do, whether we should put our ship
14 alongside the lay-by wall or whether we should proceed
15 up here right into the St. Lambert Lock?

16 Now in the year 1959 - 1960 and 1961, the
17 practice we had at that time whenever the St. Lambert
18 Lock wasn't ready, we used to tie up the vessel on the
19 lay-by wall below St. Lambert. That practice was carried
20 down to the year 1959, 1960 and 1961. For some unknown
21 reason in 1962 this rule was changed and we, the harbour
22 pilots, don't think it is fair. Now at present, 1962,
23 we had to take out the ship into the St. Lambert Lock.

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1 ENGLISH

2 Q. That is you had to wait at the lay-by
3 wall if necessary?

4 A. If necessary to wait - if there are
5 two or three ships along the lay-by wall you can average
6 about one hour per ship. That means if you are third
7 ship you are going to be held on that ship there for
8 at least two and a half to three hours.

9 Q. Yes, and what is the present practice?

10 A. Well, last spring we brought the
11 matter to the Department of Transport, I think it
12 was in the month of June and we were promised there
13 that the matter would be studied. In the meantime we
14 suggested a temporary agreement, we take every ship
15 right up to No. 1 Limit of Approach -- there is a sign at
16 the beginning. It is marked L.A. in red. That practice
17 we carried out to now.

18 Q. That is if the lock isn't ready or
19 open you bring up the ships from No. 3 to No. 1 or
20 No. 2 to No. 1 if there are three ships?

21 A. Yes.

22 Q. If there is only one ship you would
23 bring it to No. 2 and you proceed to No. 1?

24 A. Yes.

25 Q. When at No. 1 you leave the ship?

26 A. Leave the ship, and that is where
27 the change of pilot is made. As far as we are concerned
28 it is not in our District, but we understand that the
29 two districts overlap one another. Consequently the
30 logical place to change pilots in order to save the



1 ENGLISH

2 Department a few dollars, otherwise they have to change
3 pilots at the entrance of the Seaway, the most logical
4 place to change pilots would be right at the lay-by
5 wall at St. Lambert Lock like we have in the year 1959,
6 1960, 1961.

7 Q. Yes.

8 THE CHAIRMAN: Where is it exactly?

9 MR. LALONDE: Will you circle in green on
10 the Chart the lay-by wall and St. Lambert Lock and in-
11 dicate also by numbers what you referred to as approach
12 numbers 1, 2 and 3?

13 A. This is from here to here (indicating),
14 this is the lay-by wall.

15 Q. Yes.

16 A. Here there is a sign which is marked
17 L.A., that is limit approach.

18 Q. Yes.

19 A. That is No. 1. That is No. 2 and
20 that is No. 3, we will call them 1, 2 and 3, but with
21 a small ship, sometimes you may be able to put four
22 ships in alongside that wall. What we have objected to
23 as far as we were concerned was the time we were waiting
24 on the ship alongside the lay-by wall and the Cornwall pil-
25 ot was also waiting on the lake side. There is two men
26 detained for the same purpose. Anyway, there is an
27 Order-in-Council which came out the 17th of November,
28 1960. It was No. 50...

29 Q. You know more than I do on that.

30 A. 17th of November, 1960 bearing No. 1570



1 ENGLISH

2 fixing the limit of the Cornwall District by Order-in-
3 Council. I understand that the Montreal District
4 can't change but by an Order of Parliament.

5 Q. Now, would you explain to the Commission
6 the procedure as to the change of pilots, the relation-
7 ship with the Montreal river pilots as far as your duties
8 are concerned?

9 A. Well, what we don't think is fair,
10 the river pilot take the ships right up to the St. Lambert
11 lay-by wall if the lock should not be ready and leave
12 the ship there. As far as we are concerned we get to
13 stay aboard the vessel and if the lock is ready the
14 Montreal river pilot takes the ship right in.

15 THE CHAIRMAN: There is a difference
16 in procedure with regard to whether it is a harbour
17 pilot or river pilot. The river pilot may leave the
18 ship.

19 THE WITNESS: Yes.

20 THE CHAIRMAN: But you are going to
21 stay aboard?

22 THE WITNESS: And we both belong to
23 the same district. We are Montreal Harbour Pilots which
24 is in the Montreal District.

25 MR. LALONDE: Would you tell the
26 Commission the procedure as to work in the harbour
27 between yourself and the Montreal river pilots, that
28 is to the limits of your area, Montreal East and all over
29 the harbour, do you change with the river pilots every
30 time they come up river or go down?



1 ENGLISH

2 A. When a ship is going to the Harbour of
3 Montreal and has no reason to anchor at any of the wharves,
4 the river pilot takes the ship right to her berth.
5 On the other hand, if for one reason or another he must
6 anchor, as soon as he has let go anchor he must make
7 arrangements for a harbour pilot to meet him.

8 Q. That is when he goes to Longue Pointe
9 Anchorage, is that it?

10 A. Yes.

11 Q. What happens when a ship leaves the
12 dock?

13 A. Well, when a ship leaves the dock,
14 if it isn't a movage, she goes straight down river they
15 are handled by the river pilots. We don't touch them.

16 THE CHAIRMAN: While we are just on
17 this question of the limits of the harbour Commissioner
18 Smith was pointing out to me Section 323 of the Canada
19 Shipping Act which says the Governor-in-Council may create
20 further pilotage districts and fix their limits etc. except

in the Districts of Quebec and Montreal, so that may explain
22 why the Cornwall District limits were fixed by order
23 of council and the other hasn't been touched yet.

24 MR. LALONDE: Just for the record,
25 my lord, I would like to draw the attention of the
26 Commission here to the Montreal District By-laws, the
27 latest ones, 1961, the latest revision of these By-laws
28 where a particular definition of the Montreal Harbour
29 is made. That is Section 2, Paragraph 8 of the General
30 By-laws of the Montreal Pilotage District where it states:



1 ENGLISH

2 "Harbour of Montreal means that part
3 of the river St. Lawrence which is
4 bounded on the north by a line running
5 east and west through the northern
6 most tip of Ile St. Therese and in the
7 south by the Victoria Bridge a line
8 joining the western end of the Victoria
9 Bridge and the eastern end of the
10 Lachine Channel and including the
11 Bickerdike Basin and Windmill Basin".

12 I maintain there is certainly room for argument whether
13 there was any authority to put this definition in the
14 Montreal General Pilotage By-law in view of the provisions
15 of Section 323, I think it is, of the Canada Shipping
16 Act. I would like the Commission to study this point
17 in particular when it comes to thinking over all these
18 matters.

19 Q. Captain Lavoie, you stated that these
20 river pilots do take ships into the docks or out from
21 the docks if they are going downbound in the river
22 itself?

23 A. Yes sir, that is right.

24 Q. And any movages of a ship within the
25 limits we have definied on Charts, Exhibits 450, 451
26 are done by harbour pilots?

27 A. Harbour pilots. If the river pilots
28 happen to make a movage within the harbour limits,
29 well the fees are turned over to our Corporation.

30 Q. Would you tell the Commission whether



1 ENGLISH

2 you carry walkie-talkies with you in the Montreal Harbour?

3 A. Oh yes, we always carry these walkie-
4 talkies. It is a very good thing, very good thing.

5 When you are handling a ship alongside a wharf with tow-
6 boats, with a walkie-talkie you can talk to them and
7 tell them and prevent a lot of accidents.

8 Q. Are these walkie-talkies of the type
9 which have been shown to this Commission during the last
10 two days?

11 A. Well, I was here that day and that
12 is the same type, exactly the same. They are a little
13 heavy, but they are long-range sets and as far as I
14 am concerned, my personal opinion, and I think the rest
15 of our group will say the same, if you board a ship at
16 the oil dock not equipped with a radio-telephone and
17 you want permission to move from the oil dock to the
18 anchorage at Longue Pointe you can always do so with
19 your walkie-talkie. If it were smaller, well I am not
20 quite certain whether the range would be long enough.

21 THE CHAIRMAN: Any dead spots?

22 THE WITNESS: Well, the dead spots
23 I found was trouble with my radio, the battery.

24 THE CHAIRMAN: I mean when you are
25 talking with a tug alongside, any spot, the hull of the
26 ship?

27 A. Always carry it.

28 THE CHAIRMAN: The hull of the ship
29 wouldn't bother it?

30 THE WITNESS: No, I have seen myself



1 ENGLISH

2 being right in the wheelhouse and there was a door on
3 each side and I could contact the tug there if their
4 radio works perfectly.

5 MR. LALONDE: I still have a few
6 questions. I don't know whether you want to adjourn
7 now.

8 THE CHAIRMAN: We will have a short
9 recess.

10 SHORT RECESS

11 UPON RESUMING:

12 Q. Captain Lavoie, you stated you
13 needed permission from the Harbour Master to move a ship
14 in the Harbour of Montreal. Have you ever experienced
15 any difficulties in that regard or have the Montreal
16 Pilots any difficulty, have had any difficulty in that
17 respect?

18 A. You mean to get permission to proceed?

19 Q. Do you have to wait sometimes?

20 A. Oh yes, we do, especially if the berth
21 where the ship is supposed to go is occupied by another
22 ship. Well, in that case you have to wait until the
23 berth is vacant. If we are bound for the Seaway, if
24 there is a lot of traffic you must wait for your turn.
25 If you find yourself third or fourth in turn that
26 will mean two or three hours, anyhow.

27 Q. Yes.

28 A. Sometimes you wait an hour before
29 you get permission to proceed.

30 Q. Now, has the Harbour Master any power



1 ENGLISH

2 to sanction anybody who would leave a berth without
3 permission?

4 A. Well, that is a specific rule, I
5 understand, the Harbour Master's Rules and Regulations
6 and they have the authority to fine anyone who is dis-
7 obeying orders or not requesting permission to move a
8 ship from one berth to another. That is what I under-
9 stand.

10 Q. Yourself have you been fined for some
11 reason as to operation of ships in the harbour?

12 A. Well, it has happened to me on the
13 THORSHOPE or THORS STREAM.

14 Q. I just want to --

15 A. It happened to me one time during
16 the time we had this wreck off Laurier Pier, the wreck
17 of the FEDERAL EMPRESS.

18 Q. Yes.

19 A. Well, they had to build a shield or
20 cofferdam in front of it in order to deflect the
21 flow of the water against the wreck of the ship so that
22 shield or deflector was built in steel which was around
23 300 feet right on the current side so that the diver
24 could work on the inside and be free from the current.
25 Anyhow at that time we weren't allowed to meet around
26 that part which is right here (indicating), we weren't
27 allowed -- this wreck was somewhere around here.

28 Q. Was around Laurier Pier?

29 A. On the east side of Laurier Pier be-
30 tween 250 and 300 feet with the shield right in front of



1 it, something 300 feet along, so that blocked not half
2 of the channel, the north side of the channel, but
3 very near. We weren't allowed to pass in between Laurier
4 Pier and the wreck. The place you were allowed to pass
5 was between the wreck and the east side of the channel.
6 Around that part there as you can see the arrows the
7 current sets on the east side of the channel so we
8 wouldn't be allowed to meet. I remember the THORSHOPE --
9 it was a THORS - with permission to proceed from shed
10 11 say to shed 29, got permission from the Harbour
11 Master and I proceeded down. At the same time there was
12 a ship outward from Tarte Pier, an upper laker upward
13 bound, Tarte Pier, bound for the Seaway and also another
14 small laker, 250 some feet long that proceeded from the upper
15 harbour down below Sutherland ^{pier} was waiting, the SENATOR
16 OF CANADA moving out of the pier, it was proceeding along-
17 side of her berth. At the same time I was going down
18 on a THORS boat -- I think it was the THORSHOPE. When
19 I came just above the bridge here I had noticed that
20 the ship was pulling out. I was supposed to come and
21 turn along the Sutherland Pier, that was the original
22 idea. When I saw that ship was pulling out Tarte Pier
23 and was downbound for the Seaway I knew what was
24 going to happen because of the shield, it used to form
25 a heading, the current comes back up to the south
26 side and that ship moving out of there, it would take her way
27 past the wreck until she could get the downward current
28 along the east shore, east side of the bank. When I
29 saw that I didn't want to take the chance to get jammed,
30 a possibility of a collision with the other ship. When



1 ENGLISH

2 I came even with shed 35 I broke anchor and put engines
3 full astern and went alongside 29. We weren't issued
4 with radio-telephones at that time and the ship was
5 equipped with a radio-telephone but the radio was in
6 the Chart Room and the Chart Room was behind the wheel-
7 house and I couldn't leave the bridge. I had a three
8 and a half knot current. I didn't dare ask the captain
9 to do so because the Captain is Master of the ship. It
10 was a Norwegian ship and well, I didn't think that the
11 officer could inform the Harbour Master of our change
12 of attitude . Anyway we turned around and went to
13 shed 29. I knew I was wrong because it was prohibited
14 to turn above the wreck. There was a long distance.
15 I didn't come anywhere near the wreck. I didn't en-
16 danger my ship nor any other ships around that vicinity.
17 There were no ships. I went straight to the offices
18 and informed the Local Superintendent.

19 Q. You informed who?

20 A. The Local Superintendent of Pilots
21 what had happened. Well, he said, everything went along
22 fine. I said, fine, there was no accident. He said
23 forget about it. There is one thing, the Harbour Master
24 called us over the telephone and asked who was piloting
25 that ship, so I told him. So about three or four days
26 afterwards I had a nice letter I was fined \$40.00. I
27 didn't think it was justified because I had done my
28 duty in order to avoid a possible collision. It is
29 not when you have two ships together, it is before, you
30 act.



1 ENGLISH

2 THE CHAIRMAN: What did you do about
3 the fine?

4 THE WITNESS: I beg your pardon?

5 THE CHAIRMAN: What did you do about
6 the fine?

7 THE WITNESS: I paid it.

8 MR. LALONDE: Did you protest the fine?

9 A. Yes.

10 Q. First of all Captain Lavoie, were you
11 called by the Harbour Master to explain your attitude
12 or your act?

13 A. No, I objected to paying for the
14 fine. I explained to the Local Superintendent, Mr.
15 Melanson, then to Mr. Gendron, told him what had happened.
16 Especially with Mr. Gendron I couldn't make him understand.
17 He said why didn't you go, I said I didn't want to
18 take a chance with a collision. He said, how about the
19 other ship, wouldn't it wait for you. I said, the way
20 it is acting with that shield they built it had to go.
21 I remember of cases of ships coming up -- we weren't
22 allowed at that time when the wreck was here to proceed
23 above Vickers, not to proceed above that on account of
24 the current was changed. Instead of having the
25 currents flowing northward it formed an eddy and the
26 current was flowing in the opposite direction, it
27 deflected.

28 Q. Captain Lavoie, I am not so much in-
29 terested in the facts themselves as in the procedure.
30 Were you asked or informed by the Harbour Master of



1 ENGLISH

2 A. Myself?

3 Q. Of the complaint against you?

4 A. Myself, not officially by the Harbour
5 Master. It was by the Pilotage Authority, Local Pilot-
6 age Authority.

7 Q. After you had seen Mr. Melanson and
8 Mr. Gendron what did you do?

9 A. I saw the legal advisor. They wrote
10 letters back and forth and then all of a sudden it
11 died down.

12 Q. In order to save my reputation, was
13 it me?

14 A. No, it wasn't you. It died down and
15 we thought that everything was forgotten but in the
16 spring of 1961 around June I was informed again that
17 he insisted on my paying my fine. I had at that time
18 the Canadian Merchant Service Guild to settle the matter
19 with the lawyer so I said it is too late now, I will
20 pay the fine.

21 Q. You paid the fine?

22 A. I paid the fine.

23 MR. LALONDE: I don't know, my lord, whether
24 the Commission is interested in the correspondence on
25 that point. I don't want to clog the files which are
26 pretty heavy already if you are satisfied with the
27 statement of the witness.

28 THE CHAIRMAN: I think this is a good
29 example of the problem we face as to the responsibility
30 for the safety of the ship on a particular occasion



1 ENGLISH

2 like this one, is it the Pilot or the by-law or regul-
3 ations or Harbour Master that say you are supposed to
4 proceed that way, whether the Pilot has any discretion
5 when the safety of the ship is involved. I think this
6 is the first point we are interested in and the second,
7 of course, the procedure of disposing of it.

8 MR. LALONDE: The witness has the correspon-
9 dence with him. I could table it if you wish.

10 MR. JACQUES: I would appreciate it
11 if my learned friend would show the correspondence to
12 me and if there is anything worthwhile we can file it
13 afterwards.

14 Q. You stated in your testimony a few
15 minutes ago that the Master, the Captain or Master of the
16 ship is responsible for the ship. When the Harbour
17 Master can communicate with the ships whom does he comm-
18 unicate generally with?

19 A. Well, it is common practice of the
20 Harbour Master in 95 per cent of the times, when he
21 calls a ship, he wants to speak to the pilot in order
22 to tell the different movement of the ships when in the
23 harbour limits, and if you are going to encounter any
24 ships while you are moving from one place to the
25 other. He gives you a pretty good idea of the conditions
26 of the traffic and what ships you are going to meet at
27 certain places. As far as that is concerned I think
28 it is a very good idea, very good attitude.

29 Q. As to the regulations concerning your
30 despatching are there any special times for notice for



1 ENGLISH

2 movages?

3 A. Well, if we start from St. Lambert
4 Lock we are supposed to get an hour and a quarter
5 notice. Within the harbour from the upper part of
6 Lachine down to Section 71, it is an hour and a half
7 there. Below that from Section 71 down to the oil dock
8 it is 2 hours notice. There is one thing, sir, let me
9 say, the one hour and fifteen minutes in the peak of
10 the traffic is not sufficient. It is pretty touch and
11 go whether we will get there in time.

12 Q. Are there times when you are called
13 to get a ship in a shorter time than the one set by
14 the despatching rules?

15 A. Oh yes, lots of times we are called
16 on right away, called, make it as quick as possible.

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RPS 1 English

2 So all you can do is dress up, if it is
3 at night, dress up and try to get there as quick as
4 you can. Half an hour, three-quarters of an hour.

5 Q. Has this occurred to you during the
6 last month ---

7 A. Yes.

8 Q. When you get a right-of-way call?

9 A. Yes. It happens lots of times. I
10 cannot recall the time. It happened several times.

11 Q. As an average would you say you get
12 this once or twice a week or more than that?

13 A. Well it is possible once or twice
14 a week. Some weeks it may be more, some other weeks
15 may not get it at all. It depends. I don't think it
16 is the call to our dispatching office, I don't think
17 so.

18 Q. How long does it take you to make
19 a movage, let us say from St. Lambert Lock to the upper
20 part of the Harbour, that is around Windmill Point
21 Basin, in those areas?

22 A. If you mean the time on the ship
23 alone is about three hours from St. Lambert Lock,
24 turn around below Southerland Pier up the upper harbour
25 to the elevator. It's a good three hours. In addition
26 to that, well we have an hour and a quarter from home,
27 and then by that time we got to go back, I would
28 say it is an average of a good four hours, four and
29 a half hours from the time you leave home until you
30 come back.



1 English

2 Q. I notice that the brief of the
3 Shipping Federation states on page 80 of volume 1,
4 they refer here to statistics of the Department of
5 Transport, obviously, stating that the workload has
6 been decreasing from 3.2 hours per day 1960, to 2.6
7 hours per day in 1962.

8 A. Well if they count the exact time
9 when you are on the bridge of the ship, you ring stand-
10 by to the time you ring finished with engines along-
11 side your berth, you are going to be -- this is quite
12 all right. Sometimes we were a long time on that
13 ship. For instance St. Lambert there is a little
14 bit of traffic, an hour and a half, two hours on a
15 downbound ship is not very long you know. This happened
16 pretty near every time.

17 Q. Does it happen sometimes that you
18 are called to get to a ship and that the ship is
19 delayed before leaving the docks?

20 A. Yes, lots of time they expect to
21 finish loading cargo by, or discharging cargo by a
22 certain time and for one reason or another the
23 stevedores don't put out the number of tons that the
24 agent was planning to get out, and you are automatically
25 delayed there sometimes 45, 50 minutes, an hour, and
26 hour and a half.

27 Q. Now on your card, the pilot source
28 card would that time spent waiting aboard the ship
29 show?

30 A. Yes.



1 English

2 Q. How would you put it? Time aboard?

3 A. On the ordered time put the time that
4 you are called to board your vessel, that you are
5 called to move the vessel and then the difference between
6 the ordered time and the sailing time is the elapsed
7 time.

8 Q. Don't you have three different things?

9 A. Yes, there is the boarding time, the
10 boarding time is the time that you board your vessel.

11 Q. Isn't boarding time called reported
12 time?

13 A. Reported time. That is the time that
14 he actually goes aboard the ship. Always make it 15,
15 10 to 15 minutes previous to the time that you are
16 ordered.

17 Q. Would you know whether the Department,
18 in arriving at these figures, counts only sailing time
19 or whether they count from boarding time?

20 A. I have no idea at all.

21 Q. How many pilots are there in the
22 Harbour of Montreal, Harbour pilots?

23 A. Well there is 16 pilots, 14 on
24 stand-by at all times. We are on stand-by 24 hours
25 a day. Sometimes you make two movages in the one day;
26 some other times only make one. You are on stand-by,
27 tied up to your telephone 24 hours a day.

28 Q. Do you make movages by night?

29 A. Yes. There is no restriction as
30 to what time of the day, the night, or the weather that



1 English

2 you make a movage.

3 Q. Do you encounter special difficulties
4 at night?

5 A. Well naturally at night when you are
6 coming up the Harbour, especially around this Maisoneusse
7 Longue Pointe course here, you have got thousands and
8 millions of lights of all kinds of colours, and so
9 forth, green, red, yellow, blue and it's all in the
10 background. A ship coming up if she isn't used to
11 it -- very familiar with this, you won't even notice
12 it. You won't notice it. You can see a red light
13 and think it is on the ship but it will be a light
14 ashore, and the same thing after you are rounding
15 Longue Point, going down the River around the oil
16 dock there, all that part of the Montreal -- around the
17 oil dock, it's the same thing around the oil refinery.

18 There is all kinds of lights there and
19 now ever since they have started to work around St.
20 Helene's Island for the World Fair, well the ranges
21 on the St. Helene's Island, you can't rely on them.
22 Sometimes you see them, sometimes you don't because
23 there is a crowd -- trucks there, motor trucks work-
24 ing around that vicinity and lights of all kinds and
25 here, of course, we just forget about it. We have
26 our own shore marks and we steer our ship accordingly.

27 Q. Until what time of the year do
28 you move ships in the Harbour?

29 A. Well we have been moving them last
30 winter, I think I finished last, a year ago, 1962,



1 English

2 last December 1962. I moved a ship right down about
3 22nd of December, 20th or 22nd of December. I am
4 not quite sure but there was lots of ice at that time.

5 Q. And in the springtime I suppose you
6 start when the first ships get into the Harbour?

7 A. Yes. First ship-- I have seen
8 some of our lads there moving ships at the oil dock
9 during the winter, last winter.

10 Q. Does the ice create any difficulties,
11 any special difficulties in the Harbour as far as
12 movages are concerned?

13 A. Yes.

14 Q. Is the Harbour clear?

15 A. It's pack of ice, cause all kinds
16 of trouble when there is ice but we have been very
17 lucky for the last two or three years. Since 1958
18 anyway.

19 Q. Now I notice that you stated that
20 you got your training in Montreal Harbour in something
21 like -- how long?

22 A. Just about a month, month and two
23 days.

24 Q. Would you argue from this that
25 after all it is not so difficult if somebody can get
26 training in a month and a half?

27 A. Well I am going to tell you: we
28 are all experienced men. Everyone of us got a
29 master's ticket and sailed for many years and, further-
30 more, in 1958, at that time the St. Lawrence Seaway



1 English

2 wasn't opened. It was only the old Lachine Canal.

3 The majority of ships that we had to move within the

4 Harbour limits were smaller ships, ships of around

5 250 feet and moving ships alongside the wharf, to my

6 personal estimation, personal experience it is easier

7 to move a small ship than a larger ship, so we were --

8 myself in particular, I was very fortunate that in the

9 year 1958, 1957 and 1958 the Seaway wasn't opened.

10 It gave me a chance to familiarize myself with all

11 the sections and shed all through the Montreal Harbour.

12 After that, in 1959, well I didn't have
13 to worry. I was going to do it if I was called to move
14 a ship. I am honest about it, but I could honestly
15 tell you a couple of months today it would be a
16 very difficult thing. I would not personally allow
17 a man to do it just in a couple of months today. The
18 size of the ship has increased and the different
19 things that we have all through the Harbour. New
20 bridge, this new bridge going to have around here,
21 now this Boucherville Bridge ---

22 Q. Yes, would you please indicate in
23 green on the chart where work is taking place for
24 the Boucherville Bridge?

25 A. Just there (indicating) you see.
26 It would be a bridge and then a tunnel underneath.

27 Q. Would you put the tunnel in blue
28 on chart 451?

29 A. (Indicating.) Now at present what
30 we have right here is a sort of a drydock in the middle



1 English
2 that they are going to build the big pipe to use for
3 the tunnel. This pipe will be 300, each section
4 300 and some feet long by 200 feet wide. I have
5 forgotten the height of it.

6 Well now at present this is all done and
7 next year they will be working within this area but
8 in 1965 they are going to start to dredge the hole
9 right in the bottom of the river, right across, so
10 we were called, the River pilots, Mr. Tremblay and
11 Mr. Hamelin, Mr. Marchand and myself by the engineer
12 on that project there and they showed us a plan, what
13 they are planning to do within the next three years.
14 In 1965 going to narrow the channel right here about
15 like this (indicating).

16 Q. Would you put in red on the chart
17 what is going to take place in 1965 ?

18 A. (Indicates.)

19 Q. What is this in 1965? Is this a
20 new dyke?

21 A. That is the dredge will be there
22 operating so we won't be able to use that part of the
23 channel. Well here (indicating) they are going to
24 cut the end of the Longue Point Shoal from centre
2 25 buoy here ---

26 Q. This is indicated in blue as E
27 on the chart.

28 A. To someplace around here (indicating)
29 going to cut this, slice the shoal.

30 Q. Would you indicate F at the place



1 English

2 where they are to cut off the shoal?

3 A. That will be a straight line like
4 this (indicating) in order to widen the channel, so
5 1965 won't be too bad, but in 1966 ---

6 Q. Would you indicate in blue what
7 they are going to do in 1966?

8 A. Still going to take more of the
9 channel right here (indicating), take that much so
10 any ship passing by here will have to pass very very
11 close to Longue Pointe.

12 Q. Will you put 1966 there?

13 A. (Indicating.) So you have got the
14 arrow there, what current there may be by Pilot
15 Arcand, so it gives you an idea of the difficulty we
16 are going to be up against when this is done.

17 THE CHAIRMAN: Between the Island and
18 the channel is there going to be a dyke there or a
19 bridge?

20 THE WITNESS: You see this part right
21 here (indicating) that I marked from Ile Charron to
22 the edge of the shoal, now there is a dyke actually
23 built all around this part.

24 THE CHAIRMAN: There is one?

25 THE WITNESS: There is a dyke there.

26 THE CHAIRMAN: What are you going to put there?

27 THE WITNESS: Going to use that as a drydock
28 to build the actual pipe for the tunnel for the pipe
29 that will go underneath the River.

30 THE CHAIRMAN: The south channel, if I can



1 English

2 call that channel that, by Ile Charron is still open?

3 THE WITNESS: This one here (indicating)?

4 THE CHAIRMAN: Yes?

5 THE WITNESS: Actually not, there is a
6 dyke right across.

7 THE CHAIRMAN: The current now is deflected
8 into the ship's channel?

9 THE WITNESS: That is right. Here there may
10 be a little bridge but I wouldn't be too sure but
11 I know I can see the trucks passing by, back and forth,
12 right across from the mainland at Boucherville to
13 Ile Charron.

14 Q. Between Ile Charron and the south
15 shore?

16 A. The mainland.

17 Q. And Boucherville bridge?

18 A. Yes, that is going to be a bridge.

19 Q. As far as the dyke, is that already
20 having an effect on the current?

21 A. Yes. You can see the flow of the
22 water coming down. Like it is this way (indicating).

23 Q. That is towards --

24 A. Longue Pointe.

25 Q. And what you have indicated with
26 arrows, they have started this dyke in 1963, the work
27 you have indicated is it 1965 or 1964?

28 A. Now you see I wouldn't be too sure
29 whether it is. I understood from the last meeting
30 they were going to finish the east side in 1964 and start



1 English

2 moving out in 1965. I may be wrong there. I wouldn't
3 be too sure.

4 Q. Never mind about the dates. Are you
5 sure about these facts?

6 A. I am sure about these facts. The
7 date I wouldn't be too positive of.

8 Q. Probably the engineers themselves
9 can answer that. How long did it take you, Captain,
10 to be at ease piloting in the Harbour?

11 A. Well as I said before it was not
12 before the spring of 1959.

13 Q. You started when?

14 A. I started the 10th of August 1957
15 and in the winter, in 1958, I think it is 1958, the
16 River pilot gave us a refresher course. I took it
17 myself because I thought it was useful.

18 Q. In your opinion what would be the effect
19 of increasing exemption from pilotage in Montreal
20 Harbour? Could we grant further exemptions from
21 pilotage in the Harbour?

22 A. I cannot very well see how we could
23 because right now with the traffic existing at the
24 present, and each and everyone of us, whether it is
25 a River pilot or a Harbour pilot, we know the conditions
26 of the Harbour. We can talk among ourselves. One is
27 coming up. The other is going down the River.
28 We could arrange to meet at a certain place or
29 we can arrange that if I am coming down from the Seaway,
30 for instance, turning below Southerland Pier on a big



1 English

2 ship, and there is a River pilot coming up around the
3 Longue Pointe course, well I can communicate with him
4 and tell him look I am going to turn at Longue Pointe
5 side of Southerland Pier, would you mind slowing down.
6 Everything is arranged amongst ourselves but with
7 another person who is not used to this Harbour, this
8 River, not much used to it, well he may keep on
9 proceeding and put me in a bad spot here. Instead
10 of turning here, I may have to go and turn away down
11 by the oil dock if I don't meet other traffic further
12 down.

13 Q. Suppose I am the skipper of a ship
14 who comes, let us say every two weeks in the Harbour
15 let us say on fairly large ships -- will they come
16 in the year every two weeks?

17 A. Well the majority of ships, Canadian
18 ships I will say, lakers, well they may come down from
19 the head of the Lakes to Montreal and unload their
20 grain, and then from there proceed down to Seven Island,
21 load iron ore and then back up again; wouldn't stop
22 in Montreal Harbour at all. Just go right through.
23 I cannot see those people could know or learn to know
24 all about the Harbour and I am going to tell you my
25 personal experience on Canadian ships. I don't say that
26 those people do not know their job. They do know their
27 job. They are good men but every time we come to
28 this spot right here (indicating) the captain turns
29 around and says "Pilot, she's all yours".

30 Q. What is "right here"?



1 English

2 A. I mean at the demarcation line, the
3 Seaway entrance around buoy No. 2.

4 Q. There is a red circle with No. 2
5 in it.

6 A. If you are proceeding from St. Lambert
7 down, and then you hear over the telephone a certain
8 ship moving, I don't care what section it is, the
9 captain will come, and still has command of his ship,
10 because he doesn't turn over until you are at the
11 entrance to the Seaway, he will ask where is that
12 ship from? Whether sections 46, 62 or 71, doesn't
13 seem to mean anything. I can quite understand because
14 from one end of the head of the Lakes right down to
15 the mouth of the St. Lawrence you cannot expect those
16 people to know all about that.

17 Q. You referred to the FEDERAL EXPRESS
18 which was sunk in the Harbour a couple of years ago.
19 How big was that ship?

20 A. Well she was around 200 and some
21 feet. I wouldn't be too sure of the length, only a
22 small ship and she wasn't broadside, as far as I know.
23 She wasn't sunk broadside in the channel. She was
24 on a certain angle.

25 Q. Would you put in blue on the chart
26 the approximate angle at which the FEDERAL EXPRESS
27 was when it sunk off Laurier Pier?

28 A. Just about like that (indicating.).

29 Q. You would put it roughly in the
30 down direction of the River itself, is that it?



1 English

2 A. Yes. Well just approaching it.

3 Q. What was the effect of this on movement
4 of ships in the River?

5 A. Well it was very bad. You had to
6 wait until your turn, and you couldn't meet a ship
7 here. Like I said before, you couldn't meet ships
8 here and then the deflector right in front, I mean
9 if a ship was coming up too close, there was danger
10 of hitting the wreck, because they were coming up
11 expecting the current to be flowing down the River
12 and the current was flowing up so there is quite a
13 few ships got in trouble here. Not major trouble,
14 until they learned about it.

15 MR. JACQUES: Was there a pilot aboard?

16 THE WITNESS: Yes, there was a pilot
17 aboard. Until they were able to shield, you see,
18 the wreck, it was something that you had to inform
19 yourself how close you could get to it.

20 Q. Would you tell the Commission what
21 is the narrowest -- how wide is the channel at the
22 narrowest part?

23 A. The narrowest part is just here
24 (indicating) in between Poulier Lalonde Pointe and
25 the east side of the channel, buoy 177, in between
26 175 and 177 or to be more exact, between 174 to 177.
27 That is the narrowest part.

28 Q. How narrow is it there?

29 A. Narrow. About 600 feet. I think
30 this part here, by buoy 195, it's only 600 feet.



1 English

2 Both parts are very narrow, here and down there
3 (indicating).

4 Q. And the widest part in the Harbour,
5 where is it?

6 A. Widest part would be here (indicating).

7 Q. By Canadian Vickers?

8 A. By Canadian Vickers and the oil
9 dock, around the anchorage of the oil dock.

10 Q. How wide would that be?

11 A. There is 1,300 feet. That is at the
12 north end of Imperial Oil wharf, 1,300 feet and at
13 Alexandra, we have 1,700 feet all through the anchor-
14 ages from entrance No. 1 right down to No. 7. We
15 have 1,400 feet wide.

16 Q. At Canadian Vickers Basin?

17 A. Here there is 2,200 feet but that
18 is 1,500 feet from here to the extreme south end of
19 the channel. From elevator 4 to the extreme south
20 end, that is 2,200 feet to the east side of the anchor-
21 age, the Vickers anchorage.

22 Q. Would you know the difference
23 in altitude, or water level between the upper part
24 of the Harbour and the lower part of the Harbour?

25 A. You mean the water level difference?
26 I couldn't tell you there. If the water is down
27 four, five, six inches below normal, well we calculate
28 it to be the same. But there must be a difference
29 in the height here, and along at Point Trembles.
30 I wouldn't know.



English

Q. You don't know the altitude?

A. No, I don't know the depth.

Q. Thank you.

CROSS-EXAMINATION BY MR. MASON:

Q. Captain prior to becoming a pilot in the Montreal Harbour, I understand that you had considerable experience in handling all different types of vessels?

A. I had a fair experience.

Q. Would you say that in your opinion the ability to handle vessels would be a prime requisite in a good harbour pilot?

A. Oh I will, certainly.

Q. And what other general requirements do you feel he should have to be a good harbour pilot in Montreal?

A. Well I am going to tell you. First of all, he should know the Harbour from A to Z. From one end to the other, and in addition to that, there is a big difference in handling ships. We talk about manoeuvrability of vessels. There is a very large difference in handling lake vessels and salt water ships, sea-going ships. They are not built the same, and a salt water ship does not manoeuvre as good as a lake vessel in close quarters for the simple reason their rudder is very much smaller. The salt water ship's rudder is very much smaller. The lake vessel



1 English

2 is built for the canal; canalers we call them, much
3 larger so the person who is a very good ship handler
4 of large vessels, may not be too good on the salt
5 water ship because the ships don't handle the same.

6 Q. This would all come under the
7 general term of "ship handling"?

8 A. That is right.

9 Q. Apart from ship handling what other
10 requirements do you think a man should have?

11 A. Like I said before, he should know
12 the Harbour of Montreal from A to Z. The current,
13 how you can approach different sections, sheds, jetties
14 and everything else.

15 Q. Now apart from the fact that you
16 acquired a working local knowledge of the Harbour
17 in a period of one month in 1957, I think, how long
18 do you feel that it would take a man to get this
19 knowledge today?

20 A. Today, like I said before it took
21 me only one month. I wouldn't say that when I got
22 my licence I was qualified. Like I said before I was
23 fortunate because we had small ships but these small
24 ships that we had at that time all disappeared later
25 on; only see very few of them and in the month's
26 time, one month's time, no I would say myself it
27 needs at least a year, or a year and a half.

28 Q. Didn't most of these small vessels
29 do their own piloting?

30 A. Yes.



1 English

2 Q. How long do you feel that it would
3 take a man today who is a good ship's handler, with
4 the experience that you have had, to gain adequate
5 working knowledge of the Harbour?

6 A. Well he would have to be constantly
7 on the job for a season and a half, and I mean every
8 day of the week.

9
10
11
12 --

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30



/RPS 1 English

2 A. If she were only going from one place
3 to another, if it was only going to the same spot it
4 wouldn't take that long but when you are moving from
5 one single spot to another and not used to the Harbour
6 you may put another ship in a bad position.
7 That is what I mean.

8 Q. Don't you feel if you went from a
9 place in the Harbour to another place in the Harbour
10 for a period of 10, 15 years you would get a working
11 knowledge of the Harbour, that is of the current in
12 the Harbour?

13 A. How many times a year?

14 Q. Once every two weeks, using my friend's
15 example.

16 A. Just from one place to the other, yes.
17 Like I said before if it was alone in the Harbour it
18 would be quite all right, but you would never be alone
19 in the Montreal Harbour. The traffic is very dense
20 at times.

21 Q. Have you had any experience in coastal
22 vessels in other non-tidal river harbours, let us say
23 in the St. Mary River or the Detroit River?

24 A. No, I haven't been there.

25 Q. What are the maximum currents that
26 you would encounter in the Montreal Harbour?

27 A. Well, as I said before around the
28 Clock Tower to the east end of the channel you get
29 6-1/2 possibly 7 knots, to eight knots at the present
30 time with this new St. Helene Island, and then all



1 English

2 along the wall, along the Harbour side, Montreal Harbour
3 side way downriver, the current varies from five to six,
4 five to four, two, two and a half, three.

5 Q. You mentioned the case of a lake
6 master proceeding, I think it was upbound, but it might
7 have been downbound that arrived at a certain point off
8 the St. Lambert Locks and they said, take her, pilot,
9 she is all yours. Isn't this the normal case?

10 A. Yes, that is normal.

11 Q. They have to pay for your services?

12 A. That is normal.

13 Q. In your experience who does the
14 actual berthing of vessels, does the pilot do the berthing?

15 A. Well, I am going to tell you something.
16 On quite a few lake vessels you take a ship right up
17 until you are parallel with your wharf, parallel with
18 the wharf, a certain distance from the wharf and the
19 captain, when he sees he can finish it, he says, okay
20 captain I will finish it up.

21 Q. You gave us a fairly lengthy description
22 of the Harbour and the facilities in the Harbour. I
23 wonder if you have any recommendations to make as to
24 improvements in aids to navigations or improvements
25 of fendering at various points?

26 A. I haven't got them all in mind.

27 Q. Is there anything that stands out?

28 A. There is an improvement that could be
29 made, to my estimation in order to save ships from
30 going down to halfway to Lanoraie, from buoy 151 to buoy



1 English

2 157N, this channel should be dredged here. You can see
3 the depth of the water varies. You could have a mile-long
4 anchorage in here, 1,500 or 1,700 feet wide and the
5 lakers instead of going to Lanoraie could anchor here.

6 Q. You have no....

7 A. Maybe I have lots of other things.

8 Q. Suggestions as to fenderings that
9 should be installed?

10 A. I haven't got any right in my mind.

11 Q. What sort of relationship does your
12 group have with the National Harbours Board? If you
13 send to them some recommendations as to fendering is
14 it general implemented?

15 A. Oh, yes, well I haven't made any
16 myself personally.

17 MR. MASON: Thank you.

18
19 CROSS-EXAMINATION BY MR. BRISSET:

20
21 Q. Captain, while you were in the service
22 of the Canadian National Steamships what ships were
23 you in command of or in service on?

24 A. Which I served on in the Canadian
25 National Steamships, the LADY boats, LADY NELSON, LADY
26 RODNEY, COLBOURNE, the CANADIAN CHALLENGER, CANADIAN
27 CRUISER, CANADIAN CONSTRUCTOR, CANADIAN LEADER. I was
28 master on the CANADIAN HYLANDER when I came into
29 pilotage.

30 Q. Were you a master on one of the LADY



1 English

2 boats or more than one?

3 A. No, I wasn't.

4 Q. What were you on the LADY boats?

5 A. I was second mate and mate there.

6 Q. 1st mate?

7 A. On the CANADIAN CHALLENGER, CRUISER
8 and CONSTRUCTOR I was chief officer there for many
9 years.

10 Q. For the record will you give us just
11 an approximate idea of the size of the LADY boats?

12 A. Well, I would have to check in my
13 discharge paper. I can't remember.

14 Q. Could you compare them to some of
15 the ships coming in the Harbour of Montreal?

16 A. You could compare them pretty near
17 to the BATTERY, about the same as the BATTERY.

18 Q. This is a Polish passenger . . .

19 A. Passenger ship.

20 Q. What vessel?

21 A. About that size, maybe a little
22 shorter, but roughly the same.

23 Q. During your years in the Merchant
24 Service you undoubtedly had occasion to enter a number
25 of ports in the world?

26 A. We were on the West Indies' run,
27 Cuba.

28 Q. Have you also been to Europe?

29 A. No, I am sorry I wasn't across.

30 Q. United States' ports?



1 English

2 A. I was in all kinds of United States
3 ports.

4 Q. New York, Boston?

5 A. New York, Boston, Baltimore, Phila-
6 delphia, Jackson Point Florida.

7 Q. Norfolk?

8 A. No, I wasn't in Norfolk, but I was
9 at Baltimore.

10 Q. Generally speaking relating to your
11 experience do you find the Port of Montreal any differ-
12 ent from other ports of the world to which you have
13 been?

14 A. Well, to my honest opinion it is more
15 difficult than any port I went in. That is my honest
16 opinion.

17 Q. Do you consider it more difficult
18 than the Port of New York, for instance?

19 A. I would.

20 Q. The Port of Philadelphia?

21 A. Yes, also, and Georgetown Demerera
22 where there is a strong current, I think Montreal is
23 worse.

24 Q. I imagine Georgetown Demerera is not
25 as busy a Port as the Port of Montreal?

26 A. No, it is not as busy but the current
27 there is pretty bad, that is the rising and fall of the
28 tide on the river.

29 Q. From your evidence, Captain, it seems
30 to me before you came a pilot in the Harbour of Montreal



1 English

2 you went through, what I would call a crash programme
3 of training?

4 A. That is what I said, sir.

5 Q. Would you be a little more elaborate
6 and tell us how this training was organized and went
7 about ?

8 A. The training we had was perfect, but
9 it wasn't long enough. We were shown all the different
10 wharves and sections but even if you go in a place once
11 or twice in a matter of a month -- we went to so many
12 places at the time, you forget.

13 Q. I am not asking you, Captain, to pass
14 judgment on whether the training is too short, too long
15 or what, I am just asking you what it was. You were
16 a little more than a month in training?

17 A. That is right.

18 Q. What did you do first?

19 A. We used to stand-by on the River
20 pilots' side to see what he was doing.

21 Q. Did you first of all go around the
22 Harbour facilities in a tug?

23 A. Yes.

24 Q. To acquaint . . .

25 A. Yes, I forget how long I was there.
26 I think I had a week or so. I wouldn't be too certain.

27 Q. You start with a week of travelling
28 on a tug going to all parts of the Harbour to acquaint
29 yourself with the Harbour itself?

30 A. Yes, well we had a fairly good knowledge



English

of it, but there were lots of places where you weren't too sure about it so the towboat was the ideal thing to go through it.

Q. While you were in the Merchant Service you had been in the Port of Montreal but you hadn't been at every berth?

A. That is right.

Q. And that was the purpose of your travel in the tugboat, to see the conditions and location of every berth?

A. I wouldn't say too much the location, but conditions.

Q. Conditions. After this first part of your training, I take it that you accompanied River pilots taking ships into the berths in the Harbour or moving them from one berth to another staying on the bridge with the River pilot?

A. We didn't all start you see with the towboat experience first. We couldn't all go at the same time on the boat. Some started -- I was one that starting in the middle of my training to go on the towboat. I starting with ships from one place to another with the River pilot.

Q. You would stand on the bridge and be taught what was to be learned from the River pilot?

A. And the effect of the current.

Q. Now, after this period which I take it lasted a month and a few days were you permitted to pilot large ships or just small ships to start with?



1 English

2 A. We were allowed to pilot small vessels,
3 I can't remember exactly, but I think the tonnage
4 wasn't more than 2,000 tons.

5 Q. Isn't it a fact you were only permitted
6 to pilot these small vessels for a period of about four
7 months?

8 A. That is right.

9 Q. And gradually as the months went
10 by you were permitted to pilot larger and larger
11 vessels?

12 A. Larger vessels, but we had to pass
13 an examination before we could be allowed to pilot the
14 larger vessels. From the small tonnage to all kinds
15 of ships, we had to pass a second examination. There
16 was a probationary examination after our training and
17 then after serving, making so many voyages on the
18 smaller vessels we had to pass an examination. In
19 the meantime during our probationary licence, I would
20 say, on small vessels we had to make trips with the
21 others on larger ships.

22 Q. So you had a probationary period?

23 A. That is right.

24 Q. Where you were first learning,
25 acquainting yourself with the Harbour and then you had
26 a temporary period on small ships?

27 A. That is right.

28 Q. And that you had various periods
29 increasing . . .

30 A. Our experience.



1 English

2 Q. Your experience and going to larger
3 and larger ships, to larger ships.

4 A. Larger.

5 Q. With refresher courses in between?

6 A. In the winter we had a refresher
7 course.

8 Q. And special examinations as you went
F2 9 along?

10 A. That is right. I wouldn't say
11 examinations. We were questioned at the school there,
12 questioned on the different currents here and there.

13 Q. During your period of training were
14 you paid?

15 A. Yes, we were paid during our period
16 of training.

17 Q. Who paid you?

18 A. The Shipping Federation.

19 Q. How many pilots were accepted during
20 that first year in the service?

21 A. The first year we were 12, and that
22 was in 1957 -- I don't know, in 1957 whether we were
23 10 or 12, but I know in 1958 we were 13 there with
24 Captain Scott. It wasn't until 1959 that three more
25 came with us with regard to the Seaway increase in
26 traffic.

27 Q. Now, Pilot, speaking from your own
28 experience of your first year, are you in a position
29 to agree that this training of these 12 pilots or 10
30 pilots was highly successful?



1 English

2 A. I would say so because I don't think
3 we had a major accident in Montreal Harbour. I will
4 keep my fingers crossed, but I haven't had one yet.

5 Q. During the period of training there
6 were no accidents?

7 A. There might have been a little
8 scratching, I mean scratching of paint.

9 Q. But no major accidents?

10 A. Oh no, there was no sinking or a hole
11 put in the side of a ship by going too fast alongside
12 the wharf.

13 Q. You might have bumped a wharf?

14 A. We might have in the Harbour, but
15 it didn't happen too often because we learned about
16 that pretty quick.

17 Q. You were asked by my learned friend,
18 Mr. Mason, about the special requirements or special
19 abilities that must be possessed by Harbour pilots.
20 I want to go back on this, Captain: would you agree
21 that one of the remaining requirements for a Harbour
22 pilot is to be what we would call a good ship handler
23 basically?

24 A. Basically you must be a good ship
25 handler. You have got to be because you are playing
26 between concrete walls at all times and a crosswall
27 right in front of you, so you can't just be a fair
28 ship handler. You have to be a good one.

29 Q. To a certain extent would you agree
30 with me, Captain, that this is a personal talent, in



1 English

2 other words some people will never be good ship handlers
3 and others have it in that it comes naturally?

4 A. It is possible. I really can't say
5 yes or no. It is possible that some people will never
6 learn.

7 Q. Captain you will, nevertheless, agree
8 that this certainly is a requirement?

9 A. That is a major requirement.

10 Q. It is a requirement which I take
11 it you will agree with me is if not improved at least
12 always kept at the same level with continuous work,
13 doing exactly the same thing from day to day?

14 A. There is lots of factors that would
15 come, even if you are good at ship handling and you
16 are not at the same place any longer, you are not
17 aware of the current, you may be a good ship handler
18 but what is going to happen if you put your vessel
19 astern, if it is a right rudder and instead of breaking
20 to the right it may break to the left. It depends if
21 you have the current around the rudder of your ship.

22 Q. In other words what you mean,
23 Captain, is in addition to your ship handling capacities
24 you must have an intimate knowledge of the waters,
25 or in the case of the Harbour, the berths and sections
26 where your ship is to be taken?

27 A. Yes, it is very important.

28 Q. You have to combine the two?

29 A. Yes, absolutely.

30 Q. Now, comparing the requirements of a



1 English ...

2 good harbour pilot with those of a good River pilot who
3 goes up and down the River most of the time, what is
4 your opinion as to whether a Harbour pilot is better-
5 qualified or not, better-qualified than the River pilot
6 who handles ships in the Harbour itself?

7 A. Well, I am not passing a judgment
8 on the River pilot. If you want my candid opinion then
9 it is the River pilot makes an average of around
10 a hundred and fifty some trips a year. That means
11 he is in the Montreal Harbour on an average of four
12 times a week, four times a week. A person that had
13 that many years of training and comes into a certain
14 place four times a week, well, I don't know, in my
15 personal opinion I think that man is qualified. There
16 is no doubt about his ability to handle a ship within
17 the Harbour.

18 Q. Now, Pilot, I take it quite often,
19 of course, tugs are used in the Harbour of Montreal
20 docking and undocking of ships. Are you called upon
21 to advise the master in this regard as to whether tugs
22 are needed or not needed?

23 A. Oh yes, sir, we are.

24 Q. How is this done as between you and
25 the master?

26 A. As between us and the master --
27 we consult each other, if we are moving from one place
28 to another, and it depends on the wharves we are going
29 to and we suggest to the captain that we should have
30 tugs. Most of the time -- I mean ship agents are so



1 English

2 used to this we don't have to worry about ordering
3 tugs, they do it themselves. They have been used to
4 it for many years, they know the difficult places
5 where ships moving in or out of a berth use tugs.
6 It is very very seldom, and then we are taking ships
7 on the St. Lawrence Seaway up into the Harbour and
8 their estimated time of arrival isn't exact, therefore
9 an agent doesn't order the tug, but leaves it to the
10 pilot and there is word left at our Pilotage Office
11 to order tugs if we need one.

12 Q. Yourself, and I am speaking of
13 your personal experience, what is your view of the
14 utility of the walkie-talkie about which we have heard
15 earlier?

16 A. Well, to my personal opinion it
17 is an indispensable thing and we must have it. I
18 don't mean at all times. If you are moving a ship
19 equipped with a radio-telephone, if you are moving
20 from the anchorage off to the St. Lawrence Seaway you
21 don't need it because a ship is equipped with it and
22 you are not using tugboats, but if you are moving
23 from one place to another and you are going to use
24 tugs it is important that you have your radio-telephone
25 in order to tell the different towboats what you want
26 them to do.

27 THE CHAIRMAN: Am I right in saying time
28 is a factor as far as you are concerned and you don't
29 have much time to spare and in cases like that you
30 have to have quick communication?



English

1 THE WITNESS: That is right.

2 THE CHAIRMAN: If you had hours in front
3 of you, in a case like that you could take more time
4 or take other means of communication.

5 THE WITNESS: Even though, sir, what is
6 happening is this, if you are sailing in Montreal
7 Harbour on a ship that is not equipped with radio-
8 telephone, well you will be all by yourself. You won't
9 know that other ships may come by. If you don't have
10 your radio-telephone you won't know these things. You
11 would be proceeding up there blind, pretty near to it.
12 A radio-telephone is a very important thing to our
13 operations.

14 MR. BRISSET: Q. We have heard, Captain,
15 about the instruments now in use which varied in weight
16 from 13 to 75 pounds depending upon, apparently,
17 who was carrying them. What is your own view of the
18 instrument?

19 A. It is a little heavy, the instrument,
20 it is a heavy instrument to carry, but my personal
21 opinion -- it is a long-range radio and like I said
22 before when you are at an oil dock say on Pointe aux
23 Trembles and you want to communicate with the
24 Harbour Master, lots of the ships that move from the
25 oil dock, either Shell or Imperial Oil and go to
26 anchorage for a fitting of 48 hours, 24, 48 hours --
27 these ships are not equipped with that type of radio
28 in the wheelhouse. They may have one in the wireless
29 room but lots of times the set is turned off and
30 you can't get anybody to turn it on. If you have your



1 English

2 own walkie-talkie you can call the Harbour Master right
3 away and get permission to proceed.

4 MR. BRISSET: My lord it is already past
5 one.

6 THE CHAIRMAN: We will be adjourned for
7 lunch until 2:30.

8
9 ---LUNCHEON ADJOURNMENT.

10
11 * * * * *



RPS 1 English

2

3 ---UPON RESUMING AT 2:30 P.M.

4

5 THE CHAIRMAN: For the benefit of the
6 members of the Commission, we are going to end our
7 hearing today at 4:45.

8

9 CROSS-EXAMINATION BY MR. BRISSET: (CONTINUED)

10

11 Q. Pilot I have understood from your
12 evidence yesterday, and today, that the main difficulty
13 which you encounter in your work as a Pilot in the
14 Harbour of Montreal is that created by the currents.
15 Have I understood you correctly?

16 A. Yes. It is one of the most important
17 factors.

18 Q. I have also noted that at one stage
19 of your evidence you stated that you never knew what
20 to expect next. In other words, if I understood you
21 correctly, conditions changed to such an extent that
22 one day you would meet a certain condition and the next
23 time you would go to the same place and the conditions
24 would be changed. Did I understand your evidence
25 correctly?

26 A. Yes. I mean the wind will have quite
27 a bit to do with it, but you see heavy wind will have
28 quite a bit to do with it; change the way of handling
29 a ship to go to different places.

30 Q. You have now had a good many years



1 English

2 experience in the Harbour. That is since 1957. Do
3 you feel quite confident in your job, in fulfilling
4 your duties as a Port pilot?

5 A. As I said before, I am not worrying
6 too much now. Still I have an awful lot to learn yet,
7 you know, but I am not worrying too much when I have
8 to perform a movage around the Harbour.

9 Q. I take it that you like your profession
10 too?

11 A. I like it very much.

12 Q. Would you ever think of going back
13 to that of a master, with his worries and difficulties?

14 A. No. I am too old now anyhow. I
15 would like to take a trip in the winter months, but
16 we have no more fleets now so, therefore, I have to
17 stay in Montreal.

18 Q. Following you in your evidence,
19 Captain, I was left under the impression that every
20 section, every berth in the Port of Montreal was rather
21 difficult of access. Is that right? Are there
22 berths or sections which are reasonably easy of access?

23 A. Well they all have their own
24 particular little trick, you know. Current doesn't
25 exactly work the same with any berth along the Montreal
26 Harbour. I mean the current flowing down the River
27 doesn't hit or strike the wharf at the same angle
28 everywhere. Therefore, there is a difference. The
29 eddy may be a little bit longer or a little bit shorter.
30 It all depends.



1 English

2 Q. But would you consider that there
3 are some berths or sections that are comparatively
4 easy to get at in the Harbour, and if so, could you
5 indicate in what section of the Harbour you would
6 think you would find these berths?

7 A. Well to my estimation, the easier
8 part of it would be somewhere around the old dock or
9 proceeding to an anchorage, for instance.

10 Q. Speaking of your workload, Captain,
11 you have referred to movages at night. Isn't it a
12 fact that in the circumstances of this Harbour there
13 are only a few movages at night? They are the
14 exception rather than the rule?

15 A. Well I wouldn't quite agree with you
16 there because, as you know, the only time that a ship --
17 I mean most of the time that the ships move within
18 the Harbour limits, from one wharf to the other, it's
19 either around five, six o'clock in the morning or
20 after eleven o'clock at night or around meal hour at
21 noon. If the ship moves from one section or one
22 wharf to the other, that is during the time that the
23 stevedores are not working but all the movages are
24 performed in the Harbour, unless the ship is sailing
25 or a ship from any place around the Harbour to the
26 St. Lawrence Seaway.

27 Q. Well what would be your answer to
28 this question then? Are there more movages at night
29 than in the day, or vice-versa?

30 A. Well I would say I think it balances,



1 English

2 you see. It's about half and half I would say.

3 I haven't got a record on me now to say exactly whether
4 they are all at night. It seems to me there are
5 some weeks that you are always at night.

6 Q. Do you keep a record of your work,
7 of the type that we have seen yesterday filed by
8 Pilot Belanger?

9 A. I have my little book, personal
10 little book that I keep the name of the ship, tonnage,
11 the date, the time I was ordered -- I was called at
12 home, and the time I was supposed to report on the
13 ship. The time on board the ship, the time we left,
14 we proceeded with the ship and the time I actually got
15 off the vessel.

16 Q. And you keep these records in
17 respect to every movage?

18 A. Every movage.

19 Q. Can you give us an idea of the number
20 of movages that you performed last season?

21 A. Well if you allow me to check on my
22 notes here, I can give you ---

23 Q. I am speaking of the season of 1962.

24 A. Well I can go back as far as 1957.
25 In 1957 I performed myself 195 movages. 1958, 418
26 movages. 1957, as you know, it was only part of a
27 season. From August to the end of the season. 1958,
28 418, 1959, 609. Well that was the rush of the St.
29 Lawrence Seaway. Every ship thought there was a
30 gold mine at the Lakehead and all ships were going



1 English

2 there, whether there was cargo or not. That is what
3 is appears to me. That is my own impression. In 1960
4 it dropped down to 427. 1961 I had 399. Last year,
5 1962, 366.

6 Q. And that includes the period from
7 the end of March until approximately Christmas, or
8 thereabouts?

9 A. That was the total movage during that
10 year, 1960 -- whatever year it happened to be. It
11 doesn't overlap over the next year. Just consider
12 that year.

13 Q. During the course of your evidence,
14 you have referred this Commission to changes in the
15 buoys, or in the channel which were not indicated on
16 the chart, even though these changes had taken place
17 at times a long time before the charts were issued
18 and corrected. Would you tell us whether, in your
19 work, you are keeping in close contact with the
20 National Harbours Board in order to find out what
21 changes are being made in the Harbour, not only in
22 the installations themselves, but also in the aids
23 to navigation and whatever might be of assistance to
24 you in your pilotage work?

25 A. Well we had a meeting with the
26 Harbour Master not so very long ago during the time
27 that they were digging a hole across the entrance to
28 the St. Lawrence Seaway to lay down pipes there for
29 the dredges on the east side of the channel between
30 buoy 187½ and 187 and well the Harbour Master keeps



1 English

2 us informed of all the different changes. We get
3 notices to mariners and the Harbour Master issues
4 reports, reports everything to us. We have very
5 good co-operation from the Harbour Master. No complaints.

6 Q. In other words, you do receive a
7 notice to mariners that is issued by the proper
8 Authority?

9 A. Yes. They are all posted in the
10 Pilotage Office.

11 Q. And it is one of your duties,
12 before you proceed on a Pilotage job, to make quite
13 sure that you are acquainted with the latest notices,
14 I think.

15 A. Yes. And if, for instance, well
16 we are always informed by other shipmates, other
17 pilots.

18 Q. What I was driving at though Pilot
19 was whether the Harbour Authorities themselves do
20 inform officially the pilots of work being done in the
21 Harbour or of changes being made in aids to navigation
22 or other things that would be of assistance to the
23 pilot to know?

24 A. Yes, they do. Well I can't remember
25 exactly what date it was but just in that particular
26 part there, or the entrance to the Seaway, right where
27 dredges, the pipe passed underneath the water, the
28 Harbour Master reported one time a red flashing buoy
29 that had been placed there temporarily by the company
30 that works that dredge and I overheard that over the



1 English

2 radio-telephone at night. I was piloting a ship from
3 one place to the other. I have forgotten exactly what
4 this was.

5 Q. Is there any written notice given
6 by the Harbour Authorities that you can find in the
7 Pilotage Office and read yourself?

8 A. Well wherever there is issued a
9 written notice, they all come, a bulletin every day
10 at nine o'clock or nine-thirty in the morning and
11 two o'clock in the afternoon. These bulletins are
12 made by the Signal Service and they are posted in the
13 Pilotage Office. You can get a copy there. There is
14 a copy for everybody. The ships also passing through
15 the whole River, right at the head of -- if there
16 is any notice to mariners, well there is always a
17 part there at the top end of the bulletin.

18 Q. I think Pilot in the course of your
19 evidence you have expressed your agreement with the
20 control of the traffic in the Harbour by the Harbour
21 Master?

22 A. Yes, I agree a hundred per cent.

23 Q. On this topic will you tell me whether
24 you are satisfied with the co-ordination that exists
25 at the moment between the National Harbours Board
26 and your Pilotage Office or would you think that there
27 could be room for improvement?

28 A. Well personally I don't know. I
29 don't feel like -- I have no suggestion to make. I
30 think it is working very smoothly.



1 English

2 Q. And you have no suggestion to make?

3 A. I have no complaints to make. No
4 particular complaint.

5 Q. Now Pilot I want to come to this
6 little problem at the entrance of the Seaway. You have
7 explained to us what the procedure was for the years
8 1959, 1960 and 1961 insofar as the division of the
9 work between the two sets of pilots was concerned.
10 Were the Pilots of the Harbour of Montreal satisfied
11 with this arrangement?

12 A. You mean the latest arrangement?

13 Q. No, in 1959, 1960 and 1961 as it
14 was being done during these years were you satisfied?

15 A. Yes, one hundred per cent. We had
16 a meeting, I have forgotten whether it's a year ago
17 but we had a general meeting on it a year ago last
18 spring and at that general meeting there was mention
19 of it. It was just verbal, was nothing written.
20 There was mention of it and the whole assembly, except
21 two I think that did not express their wishes, were
22 in favour of staying the same as we were in the
AA2 23 year 1959, 1960 and 1961.

24 Q. Now when the decision was taken
25 to change the limits, in 1962, were the Harbour pilots
26 or their Corporation or their Committees consulted
27 by the Department of Transport before the decision
28 was taken to alter the rules?

29 A. I don't know. I mean I haven't
30 seen any writing to that effect although if I did I



1 English

2 cannot recall it and I was not in the Committee at the
3 time. Therefore, I am not in a position to give you
4 a straight answer.

5 Q. How did you learn about it yourself?

6 A. Well there was a notice posted in
7 the Pilotage Office to the effect that all Harbour
8 pilots would have in the future, or words to that
9 effect, to take ships right into St. Lambert Lock
10 whether they were delayed alongside the lay-by wall
11 or not.

12 Q. Now let us analyse the procedure
13 in itself. You are telling us today that the Harbour
14 pilot will take the ship into the lock if it is free.
15 Otherwise only to number one ---

16 A. You mean to the lay-by wall? To
17 the end of the lay-by wall?

18 Q. Number one position.

19 A. That is a procedure we are doing
20 now, you see.

21 Q. Which entails losing time between
22 positions three and two and two and one if there is
23 traffic?

24 A. Well if you happen to be the third
25 ship, I will say position No. 3 and there is downbound
26 traffic, well you can roughly count between 50 minutes
27 to an hour for each ship so that will mean from the
28 time you are tied up to the end of the lay-by wall,
29 berth No. 3 below St. Lambert to the time you get
30 to No. 1, the limit of the approach, you may be delayed



1 English

2 a couple of hours or a little more. Maybe less.

3 Depends on the size of the ship and the traffic movement
4 in the St. Lawrence Seaway.

5 Q. Now Pilot would you have any suggest-
6 ions so as to improve the dispatching of pilots in
7 these circumstances? I would like to suggest to you,
8 for instance, that if there is congestion and you
9 have, say, three ships waiting at the lay-by wall,
10 one ship in the lock, a pilot could be assigned to
11 move the ships from position No. 3 to position No. 2
12 and from No. 2 to No. 1, and so forth, so that only
13 one pilot could do this whole job?

14 A. Personally I would not be in favour
15 of that. I like to go back to what we have and I
16 am going to tell you why: in Montreal Harbour, for
17 instance, a ship has the privilege to move on her
18 own line from one end of the wharf to the other end.
19 If the distance is some thousand feet, she can move
20 there and no one calls a pilot, except under special
21 circumstances. Well the lay-by wall is 1,700 wall
22 altogether. When there is a ship there it may be
23 1,200 feet left. Therefore, if they can do that --
24 we consider we are not in our District there, whether
25 we are or not I don't know but I think we are not.
26 Anyway, if they can do such a movage all by themselves
27 from their own line in the Montreal Harbour without
28 a pilot, I cannot see why they cannot do it there
29 also.

30 Q. In other words your view is that



1 English

2 the ships could move by themselves along the lay-by
3 wall from one position to the other without pilots?

4 A. Yes, because they are allowed to do
5 it in the Harbour of Montreal provided that they are
6 not using their engine.

7 THE CHAIRMAN: And I would venture to say
8 that at the lay-by wall there in the lock -- prior
9 to the lock there is no other factor except wind?
10 There is no current?

11 THE WITNESS: There is a slight current
12 my lord. Looking at the chart from this angle, on the
13 righthand side there is a discharge there, an over-
14 flow of water runs out right along here (indicating)
15 on the east side of the lock when the sluices
16 or the doors are opened right here; there is a flow
17 of water coming down following the east side of the
18 bank and then it turns around and you sort of get
19 an undercurrent that takes you right up. You see,
20 this is what it appears to me, the current does
21 this (indicating) because you come alongside here,
22 at this part No. 3 berth, for instance, and you will
23 have your ship stopped by the water, don't put any
24 line ashore and the first thing you will notice that
25 your ship is travelling up slightly towards the entrance
26 to the St. Lambert Lock.

27 THE CHAIRMAN: Towards the entrance?

28 THE WITNESS: Towards the entrance of the
29 St. Lambert Lock.

30 Q. Pilot a ship will have at all times



1 her lines ashore to hold her?

2 A. Yes.

3 Q. You have told us, if I understood
4 you correctly, that any ship that came within the
5 limits of your District and anchored, would have to
6 change her pilot. In other words, if she is coming
7 upriver and drops anchor at Longue Pointe, for instance,
8 the River pilot will be relieved by the Harbour pilot
9 when she moves further?

10 A. That is right.

11 Q. And that is so whether
12 whether the ship remains at her anchorage for a very
13 limited time, say from five minutes to fifteen minutes?
14 Whether it be five minutes or an hour?

15 A. Well at one time there was a rule
16 there in the By-Laws to the effect that a ship had
17 to be one hour. I don't know if this exists any
18 longer. That's more than I could say.

19 Q. But in practice now the relief takes
20 place as soon as the vessel drops her anchor and
21 comes to anchor?

22 A. That is right. That is what I
23 understand anyway. I have no specific occasion that
24 I have done it myself to tell you the truth, boarding
25 a ship in a shorter period of time than she had been
26 anchored for a shorter period than one hour. That is
27 more than I can say. I can't recall any occasion
28 personally.

29 Q. In other words, when you come on
30 board, you wouldn't know normally how long the ship



1 English

2 has been anchored?

3 A. Well I often ask but I don't recall
4 any occasion that there was less than one hour.

5 Q. Now when the vessel is at anchor
6 at Longue Pointe, there is no pilot on board?

7 A. No.

8 Q. You have told us of some of the
9 changes of the Longue Pointe anchorage particularly
10 when there were certain winds blowing. It will be
11 in such a case up to the master and the officers of
12 the ship to take care of their vessel. It is not
13 a pilot's problem?

14 A. Yes, that is right. Normally all
15 the pilots anchor their ship in a very good position
16 and I don't recall -- I recall there was a ship not
17 so very long ago I was called to -- I don't think it
18 was -- I don't know what happened there, anyway the
19 ship had four shackles of chain out at anchorage No.
20 3 and she dragged ashore but she only had one anchor
21 down. She was loaded.

22 Q. It is the duty of the pilot to
23 properly advise the master of the ship when the ship
24 comes at anchor as to the selection of the anchorage,
25 the number of shackles on the chain that should be
26 played out, and so forth?

27 A. That is right. If there is adverse
28 weather, what to do.
29
30



English

CROSS-EXAMINATION BY MR. JACQUES:

Q. You gave us a fairly detailed lecture on the current in the Harbour of Montreal. Can you tell us whether these currents have changed very much either in direction or velocity since you have become a pilot of the Harbour of Montreal?

A. Well you see quite a few places there -- well now --

Q. You may step down if you wish.

A. Well over here, as I mentioned before, there is a great change of current here (indicating) in between the Bickerdike Shoal and St. Helene Island and all around the buoy 201. The current has changed on account of the repair being done.

Q. How much has it changed?

A. We haven't had a survey of the rate of current. Therefore, I cannot tell you exactly whether it changed a knot to a mile and a half an hour. It's more than I can say.

Q. Has it changed in direction?

A. It has not changed much in direction. About in the same direction but the velocity, the rate of the current has increased.

Q. In all these other places which are indicated with red arrows on this chart, how did you ascertain the direction and velocity of the current?

A. Well the velocity, you see, it is marked on our charts at different places. You can see



1 English

2 here 3-1/2 knots an hour, so we still go by this.

3 Three knots, we still go by this. We have no other
4 means until a new survey is being done right through
5 the Montreal Harbour.

6 Q. And the various directions which
7 you have mentioned ---

8 A. That was through experience. What
9 I am showing is through my own experience bringing
10 ships alongside.

11 Q. The velocity of the current is fairly
12 well indicated on the chart?

13 A. Oh yes. You can rely fairly well
14 on it.

15 Q. Would you rely on the indications
16 given?

17 A. Yes, I would rely except maybe a
18 slight change on account of the height of water in
19 the Harbour at different times of the year. In the
20 spring of the year you may have instead of 35 feet,
21 may have 41 feet of water in the Harbour in the spring
22 of the year, and they goes down right through the
23 spring and in the middle of the summer, like we had
24 this year it went down to 34 feet, 3 or 4 inches.

25 Q. Now during your month of apprentice-
26 ship did you have occasion to visit all the various
27 sections? When I say "visit" I mean being there with
28 a ship either to dock or undock?

29 A. That was our policy; to make a
30 complete tour of the -- what I mean by "tour" it is



1 English

2 to go to every shed and section within the Harbour
3 limits.

4 Q. And you did that during that one
5 month?

6 A. I am pretty sure I did. I wouldn't
7 say -- this is six years ago. I am pretty sure I
8 went to every place.

9 Q. Or nearly every place?

10 A. Well ---

11 Q. During that month, were you instructed
12 by the pilot in charge of the vessel as to the various
13 currents which you are expected to encounter?

14 A. Yes.

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RPS

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English

A. Oh yes, every pilot on the River, the pilot used to tell which was the current was setting.

Q. From that time 'til today have you found that the indications given by these Harbour pilots were correct?

A. By the River pilots.

Q. By the River pilots?

A. Yes, in general I would say so.

Q. Their information . . .

A. Their information.

Q. Fairly reliable?

A. Fairly reliable.

Q. If any man were trained to become a pilot of the Harbour, I daresay you would give him all the indications, would you not?

A. By all means, I would try to make it good.

Q. He would be entitled to rely on that, would he not?

A. He should be.

Q. So it took you about a month to become familiar with the various currents in the Harbour?

A. I wouldn't say truly familiar. We had a fairly good idea.

Q. Of what to expect?

A. I wouldn't go beyond that.

Q. Since the month of apprenticeship have you experienced any surprise at new currents or



1 English

2 differences in the currents?

3 A. Well, I haven't found too much differ-
4 ence in the currents, but in the rate of the currents.
5 I am pretty sure I did in several places.

6 Q. In several places. You have handled
7 ships before becoming a pilot, did you not?

8 A. Oh, yes.

9 Q. Would you say that there are any
10 major differences handling a ship in Montreal and
11 elsewhere when the currents are roughly similar?

12 A. If the currents are similar they would
13 be identical.

14 Q. They would be -- ?

15 A. They would be the same thing. They
16 would be identical.

17 Q. Did you ever go up to the Lakes?

18 A. No, I only did about a month on
19 Lake Superior there. That is all.

20 Q. Where did you go on Lake Superior?

21 A. From Sault Ste. Marie to Black
22 River on the north side, Lake Superior carrying a load
23 of pulp. I only carried one load.

24 Q. You made one trip?

25 A. 12,000 cord on a raft. That was
26 enough for me.

27 Q. You weren't on a ship?

28 A. I was on a tug.

29 Q. Were you master of the tug?

30 A. I was a mate there, but that was enough



1 English

2 for me.

3 Q. Did you have any experience on the
4 Lakes apart from that?

5 A. No, sir.

6 Q. Did you ever go to New York?

7 A. Yes.

8 Q. Would you say the traffic was more
9 dense in New York than it is in Montreal?

10 A. Well, that is more than I can say.
11 I was there several times. There is a lot of traffic
12 there, but I wouldn't know whether it is more dense than
13 it is here. That is more than I can say.

14 Q. Were you on cargo ships?

15 A. I was on cargo ships.

16 Q. Tankers?

17 A. No.

18 Q. Not on tankers. Did you sail up the
19 East River?

20 A. No.

21 Q. Hudson?

22 A. Pardon me -- the East River, yes, I
23 went up the East River to Cape Breton Island.

24 Q. Would you using a green pencil
25 indicate to me what you conceive to be the limits of
26 the District of Montreal? I will read the Section
27 of the Act to you. I am not interesting in the
28 eastern limit, but the western limit. I will read
29 Section 323 :

30 "The Pilotage District of Montreal



English

"comprises that part of the River St.

"Lawrence from the eastern end of the Lachine

"Canal" ---

Where is the eastern end of the Lachine

Canal?

A. Right here (indicating), that is it
now.

Q. Would you write the letters L.C.
next to the green line that you have drawn so we can
identify it, that is the Lachine Canal, the eastern
end of the Lachine Canal. The context goes on:

" --- to the eastern limit of the
"Harbour of Quebec together with those
"parts of all rivers, waters, harbours,
"creeks, bays, and coves within the
"said limit".

A. Did you say Quebec?

Q. That is the other limit.

A. I don't understand, are you asking
me for this Port?

Q. This is the western limit, and the
eastern limit . . .

A. The western limit comes down to here.

Q. Just a minute. I was reading the
law to you and I wanted you to show me where the
eastern end of the Lachine Canal is. I read the Section
of the Canada Shipping Act.

A. This is the eastern end of the Lachine
Canal.



English

Q. "It comprises all waters between the
"eastern end of Lachine Canal and Quebec
"Harbour".

Would you say the waters of the St. Lawrence
River east of Pointe Mackie are included in the limits
I have just read?

MR. LALONDE: My friend is asking the witness
to enlighten him on a legal interpretation. I don't
think he is qualified.

THE CHAIRMAN: Isn't it a matter of requesting
on the chart a definition of what is accepted by people,
what they believe?

MR. LALONDE: Yes, my lord, but counsel
for the Commission has read Section 323 to the witness.
That Section states that the eastern limit, western
limit of the District are the eastern end of Lachine
Canal . . .

THE CHAIRMAN: That is what is said.

MR. JACQUES: I kept on reading. I might
read it again for the benefit of my learned friend.
Section 323:

"The Pilotage District of Montreal
"comprises . . . "

MR. LALONDE: If my friend is reading it
for my benefit I have read it many times and I don't
need it.

MR. JACQUES:

". . . that part of the River
"St. Lawrence from the eastern end of Lachine



English

"Canal" to the eastern limit of the
"Harbour of Quebec together with those parts
"of the rivers, waters, harbours, creeks,
"bays and coves within the same limits".

What I asked the witness is if in his
opinion these limits are clear enough or not to include
that portion of the St. Lawrence River east of Mackie
pier. The eastern end of Lachine Canal is approximately
in latitude 40 degrees and 30 minutes and we can
see on the chart this latitude which is shown by
that line is indicated 30 minutes at either left
or righthand side of the chart. Obviously this
definition was adopted before the Seaway.

MR. LALONDE: Was in existence.

MR. JACQUES: Went into operation, and a
look at the chart shows that very few ships, if any,
ever sail between St. Helene's Island and Mackie pier.
All I am asking of the witness is in his opinion
whether it would include within the limits of the
St. Lawrence River those waters of the St. Lawrence
River in the same latitude as the eastern end of the
Lachine Canal, the east of it.

MR. LALONDE: Which is what my objection
is. This question is a legal interpretation. The
witness may answer if you wish him to do so.

THE CHAIRMAN: This, of course, has
changed since the definition was given and it is only
a matter for a survey, really what you are asking
there because -- you may argue it is law. It would



1 English

2 be an argument. I think everybody could draw an
3 opinion from reading the law, the description in the
4 law that it is everything down from the eastern limit
5 of the canal all across the river.. I suppose it is.

6 MR. JACQUES: I am asking a man who
7 lives in the Harbour and works in the Harbour what would
8 be his opinion as a seaman reading the definition
9 whether this section which is east of Mackie pier
10 or not is included within the District?

11 MR. LALONDE: I have no objection to a
12 sea lawyer's definition.

13 THE CHAIRMAN: I might say it is not east,
14 if you want to be technical, it is not east because I
15 think the latitude you were talking of a moment ago . . .

16 MR. JACQUES: North is always at the top
17 of the chart except in very peculiar circumstances.
18 Let us say due east.

19 THE WITNESS: Well, I wouldn't know because
20 it is only since the Seaway has been we had to do any-
21 thing along the east shore of the Montreal Harbour.
22 We always considered our Harbour limits at the east
23 end of Lachine Canal, bottom end of Windmill Point
24 Basin including Mackie Basin and down. As far as
25 this Port was concerned . . .

26 MR. JACQUES: Q. You were a pilot before
27 the Seaway came into operation?

28 A. That is right.

29 Q. Did you ever have occasion to take
30 a ship of whatever draught straight between Mackie pier



1 English

2 and St. Helene Island?

3 A. No.

4 Q. Did you ever go under the Jacques
5 Cartier bridge from Helene Island and the mainland?

6 A. No.

7 THE CHAIRMAN: The same question would
8 apply to Windmill Point Basin and Bickerdike Basin.

9 MR. JACQUES: He said he went there.

10 THE CHAIRMAN: Prior?

11 MR. JACQUES: Yes, my lord. He considered
12 Windmill Basin and Bickerdike Basin are within his
13 District. At least he took ships there before the
14 Seaway became in existence.

15 Q. Would you say before the Seaway
16 came in existence your operations were limited west
17 of the eastern limit of the channel as it appears in
18 Exhibit 451?

19 A. That is right, there was very narrow
20 water all along here so we wouldn't go anywhere near --
21 we wouldn't go there if it was very shallow water.

22 Q. All pilotage was restricted in what
23 is the main channel?

24 A. That is right.

25 Q. As shown in Exhibit 451?

26 A. Yes, sir.

27 Q. You said after you made a rough
28 calculation that the river pilots came to Montreal
29 or took ships into Montreal Harbour about four times
30 a week?



English

A. Yes, that is right. That is rough.

Q. That is rough?

A. Yes.

Q. Could it be less than that?

A. Oh, it could be. I base my calculation on the 151 trips a year during the period of April, May, June, July, August, September, October, November -- seven months.

Q. Would that include their docking ships also in Montreal Harbour?

A. That is right, they always dock their ships and undock.

Q. You think it is an adequate number of times to be familiar with the changes of the Harbour?

A. I would say four times a week.

Q. Twice a week, would you say that was still enough?

A. Well . . .

Q. To know the Harbour?

A. To know the Harbour, twice a week could be -- it isn't much but it could be.

Q. This dispute over the changeover points at St. Lambert . . .

MR. LALONDE: These what?

MR. JACQUES: Q. Disputes, could it have anything to do with the idea of being able to charge a movage for moving a ship along the lay-by wall?

A. It could be. I wouldn't be too sure about it. It could be. It is possible.



English

Q. It is possible?

A. It is possible, but I wouldn't . . .

Q. To the best of your knowledge was that ever discussed among the pilots of the Harbour of Montreal and the Cornwall pilots?

A. Between the Montreal and Cornwall pilots -- I couldn't say because I wasn't on the Committee at the time.

Q. Among the Montreal pilots themselves?

A. I heard about it myself. That was mentioned to me. I don't know exactly by whom. I was against it.

Q. Now, sir, I show you Exhibit 535 which is a list of casualties which have occurred in the District of Montreal. This includes the Harbour of Montreal. Would you glance at the list for the year 1962 only and tell me, indicate to me casualties which have occurred in the Harbour of Montreal if you can? You know the names of the pilots of the Harbour of Montreal and perhaps you may recall some of the casualties themselves, in the Harbour of Montreal?

A. Yes, that is what I am looking at.

MR. LALONDE: Is my friend asking him to identify casualties by River pilots?

MR. JACQUES: Q. Montreal Harbour pilots.

MR. LALONDE: Exhibit 535 -- I don't know whether this is an addition to that one, it is reported casualties involving pilots of the Montreal Harbour 1962. I think we would have it all there.



1 English

2 It think it was produced by you.

3 MR. JACQUES: I have the answer to my
4 question.

5 Q. Do you know if you are paid detention
6 when you are detained at the lay-by wall?

7 A. Yes, we are.

8 Q. Do you know whether the Cornwall
9 pilots are also paid detention when they are in attend-
10 ance at the block~~ed~~ waiting for a ship?

11 A. Well, that is -- I heard, that is
12 all.

13 MR. JACQUES: Thank you. Oh, just one
14 question, your counsel was kind enough to let me
15 have the correspondence exchanged concerning your fine.

16 A. I would like to make a rectification.
17 Instead of the THORSHOPE it was the THORS STEAM.

18 Q. This correspondence doesn't show
19 that the fine wasn't, in fact paid, but the Authorities
20 had dropped the matter.

21 A. Well, it was mentioned -- it was
22 verbally mentioned that the matter had been dropped,
23 but in the spring, 1962 on the 6th of June I paid \$40
24 fine.

25 Q. You actually paid it?

26 A. Right.

27 MR. BRISSET: Was that fine imposed by
28 the Harbour Board of the Pilotage Authority

29 THE WITNESS: Well, by the Pilotage Authority
30 or the Harbour Board, the Harbour Board through the



1 English

2 Pilotage Authority or vice-versa, I don't know. I
3 made the cheque payable to the Receiver-General of
4 Canada.

5 MR. BRISSET: I understood the National
6 Harbours Board only fine a ship and not a pilot and
7 the Pilotage Authority fine a pilot?

8 THE WITNESS: Then it would be the Pilotage
9 Authority.

10
11 RE-DIRECT EXAMINATION BY MR. LALONDE:

12
13 Q. Captain Lavoie, when you indicated
14 to Mr. Jacques about people who come twice a week
15 in the Harbour, whether it would be enough. were you
16 referring, in that case referring to River pilots
17 who have been trained and have had apprenticeship
18 in the field or would that apply in fact to people
19 who come with the ship?

20 A. Oh no, presumably it is River pilots
21 who had proper training.

22 Q. The detention fee for St. Lambert,
23 do you get it from the minute you are stuck or is there
24 another provision?

25 A. To be over one hour.

26 Q. If you are over one hour. Are you
27 paid for the first hour?

28 A. Just after the first hour.

29 Q. I am sorry, suppose you were 60
30 minutes?



1 English

2 A. You don't get anything.

3 Q. 60 minutes at lay-by wall, one hour
4 and ten minutes?

5 A. 60 minutes?

6 Q. 60 minutes, one hour and ten minutes.

7 A. 60 minutes is an hour.

8 Q. I am sorry, 70 minutes, one hour and
9 10 minutes. Do you get two hours?

10 A. No, just one hour.

11 Q. Does that mean you are never paid for
12 the first hour?

13 A. It has to be over the first hour before
14 you can collect that hour. If it is the second hour,
15 four or five minutes or two minutes you get two hours.

16 Q. It is always from the time after the
17 first hour that it starts counting?

18 A. Yes.

19 Q. You mentioned the relative weight of the
20 walkie-talkies. Do the Montreal Harbour pilots carry
21 suitcases with them like the River pilots who have to
22 live at the other end of the Section?

23 A. We don't carry any baggage at all.
24 We just carry out radio-telephone.

25 Q. My friend Mr. Brisset asked who paid
26 you in 1957 when you were trained. Did you admit pilots
27 later on?

28 A. We were 12 paid by the Shipping
29 Federation. The remaining three were paid by our
30 District.



1 English

2 Q. When were they admitted?

3 A. Admitted in 1959 if I am not mistaken.
4 I haven't got the exact date.

5 Q. Do you know why the rule was changed?

6 A. Oh, I have forgotten. There was
7 conversation between the Shipping Federation -- I wouldn't
8 be too sure. I just overheard these comments, so we
9 paid ourself. Nobody wanted to.

10 Q. In 1959 you made a little over 600
11 movages. Do you say things are coming easier now than
12 the time you were making 600 movages?

13 A. Yes. We were up there 24 hours a
14 day in 1959, you had a couple of hours between movages
15 and that was it.

16 Q. Would you say knowledge of both French
17 and English is useful in the Montreal Harbour operations?

18 A. I think it is essential for the simple
19 reason that the Harbour of Montreal -- in our Port there
20 is River schooners going all the time. They are
21 equipped with radio-telephones and I don't know how
22 many of them speak English, but I don't think there
23 is too great numbers so if they are in your way you can
24 always talk to them and make necessary arrangements for
25 them to get out of your way. Not only that there is
26 Italian ships visiting Montreal Harbour and also going
27 to the Upper Lakes the Captain can speak French very
28 fluently.

29 Q. Does he speak English fluently?

30 A. Well, that one in particular, he didn't



French

Q. How many members did you have in the Federation?

A. Two.

Q. And how many members of the Federation do you have on the Board of Directors?

A. Two.

Q. I would like to file the document entitled Officers of the Corporation Pilots of Montreal Harbour 1958 to 1963 as Exhibit 794.

---EXHIBIT NO. 794:

Document entitled Officers of the Corporation Pilots of Montreal Harbour 1958 to 1963 as Exhibit 794.

Q. We have before the Commission as evidence that 12 pilots of your District have been paid by the Shipping Federation. Would you be in a position to tell me if the three pilots who were admitted in 1959 were also being paid by the Shipping Federation?

A. All three pilots in 1959 were paid by the Corporation, the Corporation of the Harbour Pilots.

Q. What was the remuneration paid, if we can call it to apprentices, to these five pilots while in training?

A. We received \$10 a day.

Q. And what amount did you pay your three pilots?

A. If I recall well, it was \$15 a day.

Q. Why did you pay yourself your pilots in 1959?



1 French

2 A. Because we had an excess of work
3 and the pilots were overworked and the Department
4 did not seem to want to act with celerity and finally
5 we reached the end of our tether because of the overwork
6 and the Department did not want to pay for the apprent-
7 ices and the Shipping Federation said we were making
8 too much money. We were too rich and consequently we
9 had to pay our own apprentices ourselves.

10 Q. Did you offer yourself to pay your
11 own apprentices?

12 A. Well we have decided to pay our
13 own apprentices because we found out that there was
14 no possible means of having other financial resources
15 in order to pay it. There was no other party to pay
16 them.

17 Q. Did the D.O.T. wait until you made
18 that offer to pay the apprentices before appointing
19 them or were they appointed just the same in order to
20 fill out the vacancies?

21 A. Well they waited for our request and
22 I think we made our request towards the end of June
23 or beginning of July and I think that it's only during
24 the month of September or October that they accepted
25 our request to have these ---

26 Q. Captain Marchand I would like to draw
27 your attention to paragraphs 313 and 314 of the brief
28 submitted to the Commission by the Federation of the
29 St. Lawrence Pilots. Could you please tell us if
30 these two paragraphs describe the situation of your



1 French

2 Corporation as is?

3 A. Yes.

4 Q. And I notice that you have certain
5 specific recommendations in paragraphs 635 to 642 of
6 the brief, page 232. The first recommendation is to the
7 effect that the present limits of the District of Montreal
8 remain as they are. Would you have any comments to add
9 about that?

10 A. At the present time, and under the
11 present conditions the majority of Montreal Harbour pilots
12 want to remain in the zone of the Montreal District as
13 it exists today in order to keep the same limits.

14 Q. Was there ever any mention made in
15 your group to extend, if we can say so, your section
16 up to Sorel and to make the greater section of Montreal?

17 A. The request -- there was some request
18 made beforehand for Pointe aux Trembles.

19 Q. What was the purpose of that request
20 regarding Pointe aux Trembles?

21 A. The request was to the effect that
22 the Harbour pilots should take in all the vessels in
23 the Montreal Harbour and that the vessels be taken
24 out of the Montreal Harbour by the River pilot downbound.

25 Q. If I understand you correctly, all
26 the Harbour pilots would be entrusted with having all the
27 vessels in the Montreal Harbour when they reach Pointe
28 aux Trembles, and then the River pilot would take out
29 the vessels outside of the wall as it is at the present
30 time?



1 French

2 A. Yes.

3 Q. The second recommendation is that
4 the movage dues, according to the tonnage of ships,
5 be over the present limit of 5,000 tons by the addition
6 of dues for each additional 1,000 tons. What comments
7 would you have regarding this request?

8 A. Concerning this request, the tonnage
9 of vessels is increasing all the time and consequently
10 these vessels are more difficult to move. Movages
11 take longer, more time because of the length and the
12 tonnage of the vessels so we suggest that the ceiling
13 be removed concerning the tonnage and that this be
14 increased until 15,000 tons.

15 Q. Did you make a survey concerning
16 the number of vessels beyond 5,000 tons?

17 A. Yes.

18 Q. Do you have that with you?

19 A. Yes.

20 Q. While we are looking for this
21 document, I notice that recommendation No. 3, paragraph
22 639 requests that a transportation allowance as given
23 to the other pilots of the District be equally given
24 to the pilots of the Port of Montreal. Could you please
25 tell the Commission to what you refer when you mention
26 that paragraph? I am going to show you paragraph 639.



RPS 1 French

2 Q. What do you refer to in this
3 recommendation No. 3?

4 A. We refer to the fact that we should
5 get back to the state of affairs of 1958 when we obtained
6 \$2 for the expenses in the Montreal Harbour for a
7 movage. In 1959 we obtained \$3 to go to the St.
8 Lambert Locks to embark and disembark a vessel at
9 St. Lambert and we asked for an increase in tonnage
10 and we have been asking for it ever since 1958 and the
11 D.O.T. never accepted our request and the answer that
12 they gave us was to the effect that we were just a
13 small group and we should remain as such. Finally
14 we paid the expense and we went to the Federation,
15 we made a request in order to have an increase in the
16 tariffs. I remember asking for a flat rate of \$20
17 for vessels of 2,000 tons and \$32 for the other vessels.

18 An arrangement was made -- I wasn't a
19 member of the Committee, but through an arrangement
20 they cut down the expenses and they gave us \$20 and
21 \$30 respectively and after we obtained expenses,
22 additional expenses, well we would have seen our
23 flat rate reduced, consequently we just remained as
24 we were and gained nothing.

25 Q. Did the pilots of your District
26 receive allowance at that time?

27 A. Yes.

28 Q. What type of allowance did they
29 receive?

30 A. The Mid-St. Lawrence Pilots and the



1 French

2 Pilots of the Cornwall District.

3 Q. Your recommendation refers only to
4 the pilots of the District so please refrain from
5 mentioning others.

6 A. They received \$3.

7 Q. They received \$3 for what? Where did
8 they receive \$3, anywhere in the Harbour?

9 A. At St. Lambert Lock.

10 Q. Is this the only place they received
11 an allowance?

12 A. Yes.

13 Q. Paragraph 648 refers to the St.
14 Lambert Lock. This is the allowance you would like to
15 see established. Insofar as recommendation No. 4
16 is concerned it refers to the St. Lambert Lock and
17 I think Pilot Lavoie has given evidence in that respect.
18 Would you like to add anything to the evidence given
19 by Pilot Lavoie in that matter?

20 A. My evidence is a personal opinion.
21 I ask that the limits of the District be defined
22 in order to determine who this area belongs to. We
23 must follow that up. (Q. /I would like to show you this
24 document Number of Ships Over 5,000 tons N.R.T. and
25 Tonnage Over 5,000 N.R.T. Would you tell me if this
26 document has been prepared at your office?

27 A. Yes.

28 Q. What was the source of the preparation
29 of this document?

30 A. Well, it was pilotage starting at



1 French

2 5,000 tons.

3 Q. I am sorry, did you use as a source
4 the pilot source forms or any other source?

5 A. It came from the pilot source forms.

6 MR. LALONDE: I would like to file this
7 document as Exhibit 795.

8
9 ---EXHIBIT NO. 795:

Number of Ships Over 5,000
tons N.R.T. and Tonnage
over 5,000 N.R.T.

10
11
12 MR. LALONDE: Thank you, Captain Marchard.

13
14 CROSS-EXAMINATION BY MR. MASON:

15
16 Q. I am afraid I didn't catch all the
17 translation as to your experience. Have you
18 had considerable experience on the Lakes?

19 A. Yes.

20 Q. In the St. Mary River and Detroit
21 River?

22 A. Yes.

23 Q. And your experience was as master,
24 was it?

25 A. Yes.

26 Q. So you had quite a bit of experience
27 in docking and undocking vessels in the Detroit River?

28 A. Yes.

29 Q. Is there that much difference in
30 docking and undocking vessels in that part of the Lakes



1 English.

2 or that part of the restricted waters of the Lakes and
3 the Harbour of Montreal?

4 A. The difference is when you don't know
5 the Harbour, the currents. You can run into a lot of
6 trouble.

7 Q. There is considerable current in
8 the St. Mary and Detroit River, and in the St. Clair
9 River, is there not?

10 A. Yes. As a matter of fact I have
11 passed all these rivers. I know the currents very
12 well.

13 Q. As long as you know the currents in
14 the Harbour of Montreal and knew the capabilities of
15 your ship you should be able to handle your ship in
16 the Harbour of Montreal.

17 A. In the Harbour of Montreal, when I
18 was aboard a ship I was employing a pilot all the time
19 in the Harbour. I could have done it probably, but
20 I wouldn't dare to do it.

21 Q. Why wouldn't you dare to do it,
22 because you felt you weren't familiar enough?

23 A. I thought I wouldn't have enough
24 experience and I might run into trouble and damage.

25 Q. How many voyages a season do you feel
26 that you would have to make in the Harbour of Montreal
27 to be sufficiently familiar with the currents to navig-
28 ate your vessel safely?

29 A. In the Harbour of Montreal to navigate
30 a ship safely you should presently be in the Harbour



English

every day. If a ship is in the Harbour of Montreal and goes to the same dock, always the same dock, you can't learn another place and your lake ships coming up and down are going to the elevator and that is all they are going to, No. 1, 2, 3, 4, No. 5. This is the only dock they make.

Q. Let us say the grain vessels downbound trading regularly in Montreal Harbour, he wouldn't want to go to any other place than the grain elevator, would that be correct?

A. He wouldn't need to go because his grain has to be there like.

Q. Would you say that if he traded or made two trips a month to these elevators would he would be qualified to navigate his ship from the Seaway entrance to those elevators and back?

A. Two trips a month?

Q. Two trips into the Harbour, and he had been doing that for five years, ten years.

A. From my point of view, no he wouldn't.

Q. No?

A. Because according to all the traffic you have in the Harbour you are coming once or twice a month and there is quite a change in the Harbour.

Q. Are you saying the current changes?

A. The currents, the currents, they don't change.

Q. Traffic conditions?

A. Traffic conditions change.



English

Q. Don't traffic conditions change in places like the St. Clair River and the Detroit River?

A. It is the same.

Q. The same?

A. Virtually the same current.

Q. Do the traffic conditions change in these locations?

A. No, sometimes heavy traffic and sometimes less traffic.

Q. There is considerable density of traffic in the St. Clair and Detroit River, is there not? Is it comparable to the density of traffic conditions in the Harbour of Montreal?

A. I should say it all depends. It is not quite the same traffic in the Harbour of Montreal as in the River. The River is quite different.

Q. How are they different?

A. Different -- in the River, a ship on the River going up and down, in the Harbour you can get one across and another one going another way, all kinds of things, not the same at all.

Q. You think that the traffic conditions are more difficult to contend with in Montreal than they would be in the River?

A. I should say, yes.

Q. Thank you.

A. More difficult.

Q. I show you Exhibit 788 which consists of a number of trips that Pilot Lavole made in the month



English

of October, 1962. Now, I wonder if you could look at this exhibit and tell me how many trips in that month Pilot Lavoie would have made from the St. Lambert Lock to the grain elevators or vice-versa?

A. I can see one to St. Lambert, but I don't mean he didn't go in that same area with another ship.

Q. October would be the busiest month as far as grain trade would be concerned, would it not?

A. I beg your pardon?

Q. October would be the busiest month as far as the grain trade goes?

A. This year I should say no.

Q. Other years?

A. Other years usually October and November.

Q. This is the busiest pilot?

A. I didn't say that.

Q. The exhibit is made from the pilot source forms. He would be qualified to take his vessel into the grain elevators.

A. Yes.

MR. MASON: Thank you.

CROSS-EXAMINATION BY MR. BRISSET:

(THROUGH THE INTERPRETER.)

Q. You were a member of the Montreal, Kingston District, if it can be called such when you came to offer your services as a pilot in the District of



1 French

2 the Montreal Harbour?

3 A. Yes.

4 Q. Are there any other pilots from
5 your District who did exactly the same thing as you
6 did?

7 A. Two of them.

8 Q. Are there other pilots from other
9 Districts who also made the same request, to your
10 knowledge, amongst the 12 who have been accepted at
11 that time as Montreal Harbour Pilots?

12 A. One, I think.

13 Q. So all in all there were three
14 candidates who had already accomplished some pilotage
15 in these waters?

16 A. Yes.

17 Q. Is it true to say that these three
18 pilots forming a sort of nucleus of pilots who
19 eventually were obtained for this District?

20 A. Yes and no. We have been trained --
21 the first training wasn't done by River pilots.

22 Q. You finally decided to establish
23 a Corporation within your District in 1959, if I under-
24 stand you correctly?

25 A. Yes -- a Corporation?

26 Q. Yes?

27 A. In 1958, rather.

28 Q. Could you give us the reasons which
29 governed the decision of your group to set up a Corpor-
30 ation rather than, for instance, a Society or Association



1 French:

2 as there were in existence within the Montreal District?

3 A. I think that the Companies Act is
4 more advantageous than an Association.

5 Q. In other words did you have before
6 you, for example, the example of other Corporations which
7 had already been established?

8 A. Well, I didn't have an example because
9 the other Corporation I am a member of.

10 Q. So you had already been concerned in
11 the establishment of a Corporation before the one of
12 the Montreal Harbour?

13 A. Yes.

14 Q. Is that the one of Montreal, Kingston?

15 A. Montreal, Ottawa.

16 Q. What was the Corporation's name?

17 A. The Corporation of Kingston, Ottawa
18 District Pilots.

19 Q. Is it a fact that this was the first
20 Corporation to be established in the Pilotage Districts
21 on the St. Lawrence?

22 A. Yes.

23 Q. Now, you have filed a form as Exhibit
24 793, admission form and proxy, which I imagine has been
25 signed by the 16 pilot members of your Corporation?

26 A. Yes.

27 Q. Would you be gracious enough either
28 yourself or through your secretary to give us a list of
29 the names of pilots involved with the date on which
30 they signed this request for membership and proxy?



1 French

2 A. Yes, this could be done.

3 THE CHAIRMAN: As Exhibit 796.

DD2 4
5 ---EXHIBIT NO. 796:

List of names of pilots,
6 members of the Corporation
7 and the date on which they
8 signed.

9 MR. BRISSET: Q. You stated that your
10 Corporation has two delegates to the Federation, and
11 if I understood you properly two directors who are at
12 the same time directors of the Federation?

13 A. Yes.

14 Q. Are you one of these two administrators,
15 Mr. Marchand?

16 A. Yes.

17 Q. Ever since the establishment of your
18 Corporation were there in your group some dissident
19 pilots?

20 A. No.

21 Q. I mean a minority not in agreement with
22 the decisions made by the majority, for example, in a
23 certain case?

24 MR. LALONDE: I would like to ask my colleague
25 if he could be more specific in his question, for example
26 by asking (THE INTERPRETER: Mr. Lalonde's
27 microphone is not working) . . .

28 THE CHAIRMAN: Naturally the word dissident
29 is ambiguous. Does it mean there was opposition or there
30 wasn't unanimity concerning any given decision?

MR. BRISSET: Q. I am going to change my



French

question. In your Corporation, Mr. Marchand, were there certain members who opposed the general policy of your Corporation?

A. While I was President . . .

MR. LALONDE: Q. I think it is a very difficult question for the witness to answer, opposition as to the general policy of the organization. I think my confrere should specify in his question as to whether the people are opposed to an idea it should be organized as a Corporation or opposed to a decision taken by the Board of Directors this year or last year or before. We should first ask the President whether there is a general policy of the Corporation.

(THROUGH THE INTERPRETER.)

THE CHAIRMAN: Naturally the question was easier in Quebec than with the Harbour pilots because then there were some who weren't members of the Corporation.

MR. BRISSET: Q. Do you find my question too ambiguous to answer?

A. Well, I was a Director of President of the Corporation of the Montreal Harbour Pilots -- I was two years outside of it. Well, no.

Q. Are there members of your Corporation who asked for their proxies to be repealed since this document had been signed?

A. No, never officially.

Q. Never officially. Now unofficially was that request made to you or to some other administrator, a request that would have been made by members of your



1 French

2 Corporation?

3 A. Well, that was only hearsay and never
4 a direct contract or any request.

5 THE CHAIRMAN: This request was never made
6 to you directly but through reports of things to you?

7 THE WITNESS: Yes, that is correct. It
8 was only upon hearsay.

9 MR. BRISSET: Q. If I understand you
10 properly there never were any official requests sent
11 to the Board of Directors of your Corporation by any
12 of the members asking that their proxies be repealed?

13 A. Not to my knowledge, to the best of
14 my knowledge, no.

15 Q. When I say official requests, do you
16 understand by that, a written request or an oral
17 request?

18 A. I mean an official request is a
19 written request.

20 Q. Would such a request have been made
21 orally at any time during a meeting or at a general
22 meeting or at any special meeting?

23 A. No, I never heard of any such request
24 and I went to all the meetings of the Corporation of
25 Montreal Harbour Pilots ever since its establishment and
26 I have never heard that request made.

27 Q. Everything you know insofar as your
28 Corporation is concerned is that through hearsay you
29 heard to the effect that a member, an unknown member
30 would have thought about asking for the repeal of his



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2 proxy, is that all you can say on that matter?

3 A. I can say that I have heard something
4 about the member didn't want to withdraw from the
5 Corporation, he just wants to sit on the fence. In
6 other words he wants to have one foot inside of the
7 Corporation and one outside. That wasn't an official
8 request or an official request either.

9 Q. I am sorry, I never heard your answer
10 too well.

11 A. A person who was interested would
12 have liked to be outside of the Corporation for certain
13 things and would like to stay as a member of a Corporation
14 for certain other things. Naturally this can't be
15 done. You can't sit on the fence.

16 Q. But not a member who didn't want to
17 remain with the Corporation, wanted to repeal his proxy?

18 A. No, not in the Montreal Harbour.

19 MR. BRISSET: It is now quarter to five.

20 MR. LALONDE: My lord, I would like to
21 state right here for the purpose of the record that I
22 disagree with the question put by my friend Mr. Mason
23 on Exhibit 788 concerning the number of trips Captain
24 Lavoie made to the grain elevator. I have asked
25 Captain Lavoie to check this and I will ask Captain
26 Lavoie to come to the box Monday morning to give
27 further evidence on this exhibit.

28 THE CHAIRMAN: That is all right.

29 (THROUGH THE INTERPRETER.)

30 THE CHAIRMAN: Gentlemen, I think that we



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2 see after this week's hearings that we have accomplished
3 a good task and that the work of the Commission has
4 progressed considerably. I thank you for that.

5 We stand adjourned until 10:00 o'clock Monday morning.

6
7 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

8 MONDAY, NOVEMBER THE 25th, 1963.

9
10 * * * * *

BINDING SECT.

MAY 2 1972

